

Agenda

Catherine Rybczynski Town Clerk

Town Board of the Town of Hamburg

March 13, 2023

- 1. Roll Call**
- 2. Pledge of Allegiance**
- 3. Minutes of Previous Meetings**
- 4. Town Clerks Conference**
- 5. Taylor Road Alcohol Waivers**
- 6. Senior Van Rates**
- 7. Recreation Rate Recommendations**
- 8. William D. Williams Stormwater Design**
- 9. Town Park Dredging and Boat Ramp Repair Award**
- 10. PAF - Youth, Recreation & Senior Services**
- 11. Industrial Rezoning Resolution - Camp Road**
- 12. Industrial Rezoning Resolution - Lakeview**
- 13. Industrial Rezoning Resolution - Lakeview Railroad**
- 14. Industrial Rezoning Resolution - Old Concrete**
- 15. Industrial Rezoning Resolution - Operating Engineers**
- 16. Business from the Floor**
- 17. Meeting is adjourned by Supervisor**

Town Board of the Town of Hamburg
March 13, 2023 Meeting

3. Minutes of Previous Meetings

RESOLVED that the Hamburg Town Board does hereby approve the minutes of the previous meetings as follows:

Regular Town Board Meeting 02.13.2023

Regular Town Board Meeting 02.27.2023

Moved: Comerford

Town Board of the Town of Hamburg
March 13, 2023 Meeting

4. Town Clerks Conference

WHEREAS, the Town Board approved the out of town travel of the Town Clerk, Catherine Rybczynski to attend the 41st annual New York State Town Clerk's Association conference in Syracuse, NY from April 22-April 25, 2023

The estimated costs are as follows:

| | |
|-------------------------|----------------|
| Conference Registration | \$180.00 |
| Hotel/Meals | \$543.00 |
| Transportation | <u>\$90.00</u> |
| | \$813.00 |

Funds are available in account A1410.492 and A1410.451

Moved: Comerford

Town Board of the Town of Hamburg
March 13, 2023 Meeting

5. Taylor Road Alcohol Waivers

Request a Resolution from the Town Board authorizing alcohol waivers for the following March/April Taylor Road Cabin rentals:

3/18/23, 3/19/23, 3/23/23, 3/24/23,
3/25/23, 3/26/23, 4/1/23, 4/2/23,
4/8/23, 4/13/23, 4/15/23, 4/16/23,
4/20/23, 4/22/23, 4/23/23, 4/24/23,
4/29/23, 4/30/23

Moved: Connolly

Town Board of the Town of Hamburg
March 13, 2023 Meeting

6. Senior Van Rates

WHEREAS, the Youth, Recreation & Senior Services Department is working to become more efficient and streamline administrative tasks and has decided to only charge one fee for each of the 6 routes/programs for the van service, which is in compliance with ADA regulations, the prices are as follows:

| | |
|---|---------|
| Senior programs at (Hamburg Senior Community Center) | \$4.00 |
| In-Town | \$10.00 |
| Intermediate | \$20.00 |
| City/North | \$30.00 |
| Adult Day Service | \$10.00 |
| Grocery | \$8.00 |

Moved: Connolly

Town Board of the Town of Hamburg
March 13, 2023 Meeting

7. Recreation Rate Recommendations

WHEREAS, the full time staff of the Recreation Department (“the department) and the members of the Recreation Advisory Board (RAB) annually conduct a review of all charges and fees for programs, leagues, rentals, classes, etc. administered and operated by the department, and

WHEREAS, the discussion of possible changes to said fees took place among the aforementioned parties last week, and

WHEREAS, the department and RAB did determine that a modest increase of fees/charges to some of the programs offered is justified and warranted based on the current market trends, cost increases and other determining factors, and

WHEREAS, the department and RAB have submitted for consideration to the Hamburg Town Board the modifications as follows:

Current Rate 2023 Proposed

Summer Youth Basketball Leagues

Resident \$175.00 \$180.00

Non-Resident \$225.00 \$230.00

Adult Basketball Leagues

Resident \$220.00 \$227.00

Non-Resident \$320.00 \$330.00

Learn to Swim/Tiny Tot Aquatics

Resident \$35.00 \$37.00

Non-Resident - Prime \$45.00 \$47.00

Intro to Life Guarding

Resident \$40.00 \$42.00

Non-Resident \$50.00 \$52.00

Golf Course Season Pass

Res Adult \$475.00 \$490.00

Regular Adult \$580.00 \$590.00

Res Senior \$425.00 \$435.00

Regular Senior \$555.00 \$560.00

Golf Course Family Pass

Res 2 Individuals \$770.00 \$790.00

Res Each Individual after 2 \$325.00 \$335.00

Regular 2 Individuals \$1,050.00 \$1,080.00

Regular Each Individual after 2 \$440.00 \$450.00

Weekday 18 Hole rate

Res Adult \$20.00 \$21.00

Regular Adult \$24.00 \$25.00

Weekend 18 Hole rate

Res Adult \$22.00 \$23.00

Regular Adult \$26.00 \$27.00

Taylor Road

(Implemented in May 2024)

Friday Night Rate Weekend Rates

Resident Weekend \$350.00 \$375.00

Non-Resident Weekend \$400.00 \$425.00

Saturday Adaptive Gym

All Registrants \$35.00 \$37.00

-

Start Smart Programs

Resident \$60.00 \$65.00

Non-resident \$70.00 \$76.00

Intro to Performing Arts

All Registrants \$55.00 \$60.00

Flag Football

Resident \$90.00 \$100.00

Non-resident \$100.00 \$110.00

Summer Tot/Town Tot

Resident \$10.00 \$11.00

Non-resident \$14.00 \$16.00

Summer Day Camp

Resident Weeks 2-7 \$150.00 \$175.00

2nd Child \$75.00 \$110.00

Non-Resident Weeks 2-7 \$175.00 \$200.00

2nd Child \$88.00 \$125.00

Summer Day Camp Week 1-Holiday

Resident \$120.00 \$140.00

2nd Child \$60.00 \$85.00

Non-Resident \$140.00 \$160.00

2nd Child \$70.00 \$95.00

Beach Stickers

Resident Adult \$25.00 \$30.00

Beach Sticker Guest Pass

All \$10.00 \$15.00

Gym Rental Fee

All Non-For-Profits \$25.00 \$35.00

NOW, THERFORE BE IT RESOLVED, that the Hamburg Town Board does hereby approve the recommendations proposed by the department and the RAB as contained and enumerated above.

Moved: Connolly

Town Board of the Town of Hamburg
March 13, 2023 Meeting

8. William D. Williams Stormwater Design

WHEREAS, the Town of Hamburg owns and maintain a public park known as William D. Williams Town Park;
and

WHEREAS, it is in need of upgrades and reconstruction of drainage inlets and piping; and

WHEREAS, the Town of Hamburg Engineering Department has solicited for Professional Engineering services to survey, design, and perform a hydrological and hydraulic analysis, and generate construction bid documents replace existing stormwater infrastructure;

THEREFORE BE IT RESOLVED, based on recommendation of the Engineering Department, the Hamburg Town Board authorize the Town Supervisor to sign the proposal from Nussbaumer and Clarke, Inc. for the Williams D. Williams Park Storm water drainage project in the amount of \$15,000.00. .

Funds available in DA.0000.0909-DA Fund Balance

Moved: Connolly

Y

Town Board of the Town of Hamburg
March 13, 2023 Meeting

9. Town Park Dredging and Boat Ramp Repair Award

WHEREAS, the Town of Hamburg Engineering Department have prepared bid documents for the Town of Hamburg Town Beach Dredging 3-year term agreement and Ramp Repair Project.; and

WHEREAS, a Public Bid Opening was held on Tuesday, March 7, 2023, and

WHEREAS, the Town of Hamburg received sealed bids from four eligible contractors,

WHEREAS, that the lowest responsible bidder for this project is Union Concrete & Construction Corp., having submitted bids for hourly rate amounts for the calendar years (2023 \$2,700.00/HR.), (2024 \$2,855.00/HR), & (2025 \$3,015.00/HR.); and Base Bid 2 Item (Ramp Repair) in the amount of \$89,900.00;

BE IT RESOLVED, that the Town Supervisor is authorized to sign the contractual agreement with Union Concrete & Construction Corp., and issue the Notice of Award and Notice to Proceed at the appropriate times.

Cost of this project will be charged to A.7230.0406 – Dredging; additional funds for ramp repair to be supplemented by Fund Balance A.0000.0909.

Moved: Connolly

Town Board of the Town of Hamburg
March 13, 2023 Meeting

10. PAF - Youth, Recreation & Senior Services

BE IT RESOLVED, that the Town Board approve the termination and hiring of personnel for the Youth, Recreation & Senior Services Dept. as follows:

MOVED: Connolly

ATTACHMENTS:

| Description | Upload Date | Type |
|-------------|-------------|------------|
| PAF 3/13/23 | 3/9/2023 | Cover Memo |

Town Board of the Town of Hamburg
March 13, 2023 Meeting

11. Industrial Rezoning Resolution - Camp Road

WHEREAS, this resolution introduces a proposed amendment to the Zoning Map of the Town of Hamburg to rezone parcels on the west side of Camp Road near the intersection with Sowles Road with the following SBL numbers from M-2 Light Industrial to C-2 General Commercial: 170.00-3-4.1, 170.0-3-6.31, 170.00-3-32, 170.00-3-6.2, and 170.00-3-30; and

WHEREAS, the proposed zoning map amendment is proposed in the form of a Local Law pursuant to the authority granted to the Town of Hamburg (“Town”) Town Board (“Town Board”) and the Town by Articles 2 and 3 of the New York State Municipal Home Rule Law and by Article 2 of the New York State Statute of Local Governments, and the Town Board is authorized and empowered by Chapter 280, Article XLVIII of the Code, and Article 16 of New York Town Law to amend the Zoning Map of the Town to meet the growing and changing needs of the Town; and

WHEREAS, since 2019, the Town has been in the process of updating its Comprehensive Plan, and evaluating potential Zoning Code and Zoning Map amendments throughout the Town, including industrial properties, and evaluating other land use issues throughout the Town; and

WHEREAS, through the process of updating its Comprehensive Plan, the Town has identified areas that it views as improperly zoned in light of changes in the Town and the region since the adoption of the last Comprehensive Plan update in 2008; and

WHEREAS, the Town’s new 2022 Comprehensive Plan (“Plan”) has been adopted and the Town Board has authorized the Town’s Planning Department and the Town’s Planning Consultant to begin the implementation of the Plan; and

WHEREAS, in anticipation of the introduction of the proposed zoning map amendment, the Town’s Planning Consultant has prepared for the Town Board’s review Part 1 of a Full Environmental Assessment Form (“FEAF”), pursuant to SEQRA, of which a copy is attached as Exhibit A to this Resolution; and

WHEREAS, pursuant to New York State Municipal Rule Law § 20, a copy of this Resolution was received by each member of the Town Board prior to this meeting and the Proposed Local Law shall be deemed to be on the desk of each member of the Town Board as of tonight’s Town Board meeting.

NOW THEREFORE, BE IT RESOLVED BY THE TOWN BOARD OF THE TOWN OF HAMBURG AS FOLLOWS:

1. The Town Board has determined that they would like to proceed with the rezoning of these parcels.
2. For the reasons set forth in this Resolution, and pursuant to New York State Municipal Home Rule Law § 20 and Sections 8-15 and 280-338 of the Code, the Town Board hereby introduces Town of Hamburg “Local Law No. x of 2023, A local law to amend the Zoning Map of the Town of Hamburg to rezone parcels parcels on the west side of Camp Road near the intersection with Sowles Road with the following SBL numbers from M-2 Light Industrial to C-2 General Commercial: 170.00-3-4.1, 170.0-3-6.31, 170.00-3-32, 170.00-3-6.2, and 170.00-3-30.
3. Pursuant to provisions of SEQRA, the Town Board hereby determines to classify the adoption of the proposed zoning map amendment (the “proposed action” in accordance with SEQRA) as a Type I action in

accordance with Article 8 of the New York State Environmental Conservation Law and 6 NYCRR Part 617.4(b)(2).

4. Further, pursuant to SEQRA, the Town Board further determines that it will be the only agency with approval authority over the proposed action. Accordingly, the Town Board hereby declares itself to be the Lead Agency for the conduct of the environmental review of the proposed action under SEQRA.

5. The Town Board hereby accepts the FEAF for the proposed action, which has been prepared by the Town's Planning Consultant, a copy of which is attached as Exhibit A to this Resolution.

6. The Town Board hereby directs that the proposed zoning map amendment be referred to the Erie County Department of Environment and Planning pursuant to Section 239-m of the New York State General Municipal Law.

7. The Town Board hereby directs that the proposed zoning map amendment be referred to the Town Planning Board for its review and for an advisory report pursuant to § 280-340(B) of the Code. The Planning Board shall deliver its response to this referral to the Town Board.

8. The Town Board hereby directs that the proposed zoning map amendment be referred to the Town's Code Review Committee for its review.

9. In accordance with New York State Municipal Home Rule Law § 20(5), the Town Board shall schedule a public hearing on the proposed zoning map amendment at a future meeting of the Town Board at a time and date as yet to be determined, to be held at the Town of Hamburg Town Hall, located at 6100 South Park Avenue, Hamburg, New York 14075. The Town Board directs the Town Clerk to provide notice to the public of the public hearing in accordance with the requirements set forth in the New York State Municipal Home Rule Law, Article 16 of New York Town Law, and § 280-340 of the Code, and directs the Town Clerk to publish of the proposed zoning map amendment in the Town's official newspaper not less than ten (10) calendar days prior to the public hearing.

10. The Town Board also directs the Town Clerk to post a copy of the proposed zoning map amendment on the Town's web site, and to make a paper copy of the proposed Local Laws available for review by the public at the Town Hall, located at 6100 South Park Avenue, Hamburg, New York 14075.

11. The Town Board hereby directs the Town's Planning Consultant to prepare for the Town Board's review at a later date a Part 2 and Part 3 of the SEQRA Environmental Assessment Form for the Town Board's review and consideration.

Moved: R. Hoak

ATTACHMENTS:

| Description | Upload Date | Type |
|-------------------------------------|-------------|-----------------|
| Camp Road Rezoning | 3/9/2023 | Cover Memo |
| Industrial Rezoning Map - Camp Road | 3/9/2023 | Backup Material |

Full Environmental Assessment Form
Part 1 - Project and Setting

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Instructions for Completing Part 1

Part 1 is to be completed by the applicant or project sponsor. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification.

Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information; indicate whether missing information does not exist, or is not reasonably available to the sponsor; and, when possible, generally describe work or studies which would be necessary to update or fully develop that information.

Applicants/sponsors must complete all items in Sections A & B. In Sections C, D & E, most items contain an initial question that must be answered either "Yes" or "No". If the answer to the initial question is "Yes", complete the sub-questions that follow. If the answer to the initial question is "No", proceed to the next question. Section F allows the project sponsor to identify and attach any additional information. Section G requires the name and signature of the applicant or project sponsor to verify that the information contained in Part 1 is accurate and complete.

A. Project and Applicant/Sponsor Information.

| | | |
|---|-----------|-------------------------|
| Name of Action or Project: Camp Road Rezoning | | |
| Project Location (describe, and attach a general location map): West side of Camp Road near intersection with Sowles Road | | |
| Brief Description of Proposed Action (include purpose or need): Rezone parcels 170.00-3-4.1, 170.0-3-6.31, and 170.00-3-32 from M-2 (Light Industrial District) to C-2 (General Commercial District) | | |
| Name of Applicant/Sponsor: Town of Hamburg | | Telephone: 716-649-6111 |
| | | E-Mail: |
| Address: 6100 South Park Avenue | | |
| City/PO: Hamburg | State: NY | Zip Code: 14075 |
| Project Contact (if not same as sponsor; give name and title/role): | | Telephone: |
| | | E-Mail: |
| Address: | | |
| City/PO: | State: | Zip Code: |
| Property Owner (if not same as sponsor): | | Telephone: |
| | | E-Mail: |
| Address: | | |
| City/PO: | State: | Zip Code: |

B. Government Approvals

| B. Government Approvals, Funding, or Sponsorship. ("Funding" includes grants, loans, tax relief, and any other forms of financial assistance.) | | |
|---|---|---|
| Government Entity | If Yes: Identify Agency and Approval(s) Required | Application Date (Actual or projected) |
| a. City Council, Town Board, <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No or Village Board of Trustees | | |
| b. City, Town or Village <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Planning Board or Commission | | |
| c. City, Town or <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Village Zoning Board of Appeals | | |
| d. Other local agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | | |
| e. County agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | County 239 referral | |
| f. Regional agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | | |
| g. State agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | | |
| h. Federal agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | | |
| i. Coastal Resources. | | |
| i. Is the project site within a Coastal Area, or the waterfront area of a Designated Inland Waterway? | | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| ii. Is the project site located in a community with an approved Local Waterfront Revitalization Program? | | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |
| iii. Is the project site within a Coastal Erosion Hazard Area? | | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |

C. Planning and Zoning

| | |
|--|---|
| C.1. Planning and zoning actions. | |
| Will administrative or legislative adoption, or amendment of a plan, local law, ordinance, rule or regulation be the only approval(s) which must be granted to enable the proposed action to proceed? | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |
| <ul style="list-style-type: none"> If Yes, complete sections C, F and G. If No, proceed to question C.2 and complete all remaining sections and questions in Part 1 | |
| C.2. Adopted land use plans. | |
| a. Do any municipally- adopted (city, town, village or county) comprehensive land use plan(s) include the site where the proposed action would be located? | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |
| If Yes, does the comprehensive plan include specific recommendations for the site where the proposed action would be located? | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |
| b. Is the site of the proposed action within any local or regional special planning district (for example: Greenway; Brownfield Opportunity Area (BOA); designated State or Federal heritage area; watershed management plan; or other?) | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |
| If Yes, identify the plan(s): | |
| NYS Heritage Area: West Erie Canal Corridor | |
| | |
| | |
| c. Is the proposed action located wholly or partially within an area listed in an adopted municipal open space plan, or an adopted municipal farmland protection plan? | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |
| If Yes, identify the plan(s): | |
| Open Space and Greenspace Plan | |
| | |
| | |

C.3. Zoning

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a. Is the site of the proposed action located in a municipality with an adopted zoning law or ordinance.

☒ Yes ☐ No

If Yes, what is the zoning classification(s) including any applicable overlay district?

b. Is the use permitted or allowed by a special or conditional use permit?

☐ Yes ☐ No

c. Is a zoning change requested as part of the proposed action?

☒ Yes ☐ No

If Yes,

i. What is the proposed new zoning for the site? C-2 General Commercial**C.4. Existing community services.**a. In what school district is the project site located? Hamburg CSD

b. What police or other public protection forces serve the project site?

Hamburg Police and Erie County Sheriff's

c. Which fire protection and emergency medical services serve the project site?

Lakeshore Volunteer Fire Company

d. What parks serve the project site?

Hamburg Park and Lakeside Memorial Park**D. Project Details****D.1. Proposed and Potential Development**

a. What is the general nature of the proposed action (e.g., residential, industrial, commercial, recreational; if mixed, include all components)?

b. a. Total acreage of the site of the proposed action? _____ acres

b. Total acreage to be physically disturbed? _____ acres

c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ acres

c. Is the proposed action an expansion of an existing project or use?

☐ Yes ☐ No

i. If Yes, what is the approximate percentage of the proposed expansion and identify the units (e.g., acres, miles, housing units, square feet)? % _____ Units: _____

d. Is the proposed action a subdivision, or does it include a subdivision?

☐ Yes ☐ No

If Yes,

i. Purpose or type of subdivision? (e.g., residential, industrial, commercial; if mixed, specify types)

ii. Is a cluster/conservation layout proposed?

☐ Yes ☐ No

iii. Number of lots proposed? _____

iv. Minimum and maximum proposed lot sizes? Minimum _____ Maximum _____

e. Will the proposed action be constructed in multiple phases?

☐ Yes ☐ No

i. If No, anticipated period of construction: _____ months

ii. If Yes:

• Total number of phases anticipated _____

• Anticipated commencement date of phase 1 (including demolition) _____ month _____ year

• Anticipated completion date of final phase _____ month _____ year

• Generally describe connections or relationships among phases, including any contingencies where progress of one phase may determine timing or duration of future phases: _____

f. Does the project include new residential uses? ☐ Yes ☐ No 18

If Yes, show numbers of units proposed.

| | <u>One Family</u> | <u>Two Family</u> | <u>Three Family</u> | <u>Multiple Family (four or more)</u> |
|---------------|-------------------|-------------------|---------------------|---------------------------------------|
| Initial Phase | _____ | _____ | _____ | _____ |
| At completion | _____ | _____ | _____ | _____ |
| of all phases | _____ | _____ | _____ | _____ |

g. Does the proposed action include new non-residential construction (including expansions)?

☐ Yes ☐ No

If Yes,

- i. Total number of structures _____
- ii. Dimensions (in feet) of largest proposed structure: _____ height; _____ width; and _____ length
- iii. Approximate extent of building space to be heated or cooled: _____ square feet

h. Does the proposed action include construction or other activities that will result in the impoundment of any liquids, such as creation of a water supply, reservoir, pond, lake, waste lagoon or other storage?

☐ Yes ☐ No

If Yes,

- i. Purpose of the impoundment: _____
- ii. If a water impoundment, the principal source of the water: ☐ Ground water ☐ Surface water streams ☐ Other specify: _____
- iii. If other than water, identify the type of impounded/contained liquids and their source. _____
- iv. Approximate size of the proposed impoundment. Volume: _____ million gallons; surface area: _____ acres
- v. Dimensions of the proposed dam or impounding structure: _____ height; _____ length
- vi. Construction method/materials for the proposed dam or impounding structure (e.g., earth fill, rock, wood, concrete): _____

D.2. Project Operations

a. Does the proposed action include any excavation, mining, or dredging, during construction, operations, or both? ☐ Yes ☐ No
(Not including general site preparation, grading or installation of utilities or foundations where all excavated materials will remain onsite)

If Yes:

- i. What is the purpose of the excavation or dredging? _____
- ii. How much material (including rock, earth, sediments, etc.) is proposed to be removed from the site?
- Volume (specify tons or cubic yards): _____
 - Over what duration of time? _____
- iii. Describe nature and characteristics of materials to be excavated or dredged, and plans to use, manage or dispose of them. _____

iv. Will there be onsite dewatering or processing of excavated materials?

☐ Yes ☐ No

If yes, describe. _____

v. What is the total area to be dredged or excavated? _____ acres

vi. What is the maximum area to be worked at any one time? _____ acres

vii. What would be the maximum depth of excavation or dredging? _____ feet

viii. Will the excavation require blasting?

☐ Yes ☐ No

ix. Summarize site reclamation goals and plan: _____

b. Would the proposed action cause or result in alteration of, increase or decrease in size of, or encroachment into any existing wetland, waterbody, shoreline, beach or adjacent area?

☐ Yes ☐ No

If Yes:

- i. Identify the wetland or waterbody which would be affected (by name, water index number, wetland map number or geographic description): _____

ii. Describe how the proposed action would affect that waterbody or wetland, e.g. excavation, fill, placement of structures, or alteration of channels, banks and shorelines. Indicate extent of activities, alterations and additions in square feet or acres:

iii. Will the proposed action cause or result in disturbance to bottom sediments? ☐ Yes ☐ No

If Yes, describe: _____

iv. Will the proposed action cause or result in the destruction or removal of aquatic vegetation? ☐ Yes ☐ No

If Yes:

- acres of aquatic vegetation proposed to be removed: _____
- expected acreage of aquatic vegetation remaining after project completion: _____
- purpose of proposed removal (e.g. beach clearing, invasive species control, boat access): _____
- proposed method of plant removal: _____
- if chemical/herbicide treatment will be used, specify product(s): _____

v. Describe any proposed reclamation/mitigation following disturbance: _____

c. Will the proposed action use, or create a new demand for water? ☐ Yes ☐ No

If Yes:

i. Total anticipated water usage/demand per day: _____ gallons/day

ii. Will the proposed action obtain water from an existing public water supply? ☐ Yes ☐ No

If Yes:

- Name of district or service area: _____
- Does the existing public water supply have capacity to serve the proposal? ☐ Yes ☐ No
- Is the project site in the existing district? ☐ Yes ☐ No
- Is expansion of the district needed? ☐ Yes ☐ No
- Do existing lines serve the project site? ☐ Yes ☐ No

iii. Will line extension within an existing district be necessary to supply the project? ☐ Yes ☐ No

If Yes:

- Describe extensions or capacity expansions proposed to serve this project: _____
- Source(s) of supply for the district: _____

iv. Is a new water supply district or service area proposed to be formed to serve the project site? ☐ Yes ☐ No

If Yes:

- Applicant/sponsor for new district: _____
- Date application submitted or anticipated: _____
- Proposed source(s) of supply for new district: _____

v. If a public water supply will not be used, describe plans to provide water supply for the project: _____

vi. If water supply will be from wells (public or private), what is the maximum pumping capacity: _____ gallons/minute.

d. Will the proposed action generate liquid wastes? ☐ Yes ☐ No

If Yes:

i. Total anticipated liquid waste generation per day: _____ gallons/day

ii. Nature of liquid wastes to be generated (e.g., sanitary wastewater, industrial; if combination, describe all components and approximate volumes or proportions of each): _____

iii. Will the proposed action use any existing public wastewater treatment facilities? ☐ Yes ☐ No

If Yes:

- Name of wastewater treatment plant to be used: _____
- Name of district: _____
- Does the existing wastewater treatment plant have capacity to serve the project? ☐ Yes ☐ No
- Is the project site in the existing district? ☐ Yes ☐ No
- Is expansion of the district needed? ☐ Yes ☐ No

| | |
|--|----|
| <ul style="list-style-type: none"> • Do existing sewer lines serve the project site? <input type="checkbox"/> Yes <input type="checkbox"/> No • Will a line extension within an existing district be necessary to serve the project? <input type="checkbox"/> Yes <input type="checkbox"/> No <p>If Yes:</p> <ul style="list-style-type: none"> • Describe extensions or capacity expansions proposed to serve this project: _____ | 20 |
| <p>iv. Will a new wastewater (sewage) treatment district be formed to serve the project site? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes:</p> <ul style="list-style-type: none"> • Applicant/sponsor for new district: _____ • Date application submitted or anticipated: _____ • What is the receiving water for the wastewater discharge? _____ | |
| <p>v. If public facilities will not be used, describe plans to provide wastewater treatment for the project, including specifying proposed receiving water (name and classification if surface discharge or describe subsurface disposal plans):</p> <p>_____</p> <p>_____</p> | |
| <p>vi. Describe any plans or designs to capture, recycle or reuse liquid waste: _____</p> <p>_____</p> <p>_____</p> | |
| <p>e. Will the proposed action disturb more than one acre and create stormwater runoff, either from new point sources (i.e. ditches, pipes, swales, curbs, gutters or other concentrated flows of stormwater) or non-point source (i.e. sheet flow) during construction or post construction? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes:</p> <p>i. How much impervious surface will the project create in relation to total size of project parcel?</p> <p style="padding-left: 20px;">_____ Square feet or _____ acres (impervious surface)</p> <p style="padding-left: 20px;">_____ Square feet or _____ acres (parcel size)</p> <p>ii. Describe types of new point sources. _____</p> <p>_____</p> <p>iii. Where will the stormwater runoff be directed (i.e. on-site stormwater management facility/structures, adjacent properties, groundwater, on-site surface water or off-site surface waters)?</p> <p>_____</p> <p>_____</p> <ul style="list-style-type: none"> • If to surface waters, identify receiving water bodies or wetlands: _____ _____ _____ • Will stormwater runoff flow to adjacent properties? <input type="checkbox"/> Yes <input type="checkbox"/> No | |
| <p>iv. Does the proposed plan minimize impervious surfaces, use pervious materials or collect and re-use stormwater? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> | |
| <p>f. Does the proposed action include, or will it use on-site, one or more sources of air emissions, including fuel combustion, waste incineration, or other processes or operations? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes, identify:</p> <p>i. Mobile sources during project operations (e.g., heavy equipment, fleet or delivery vehicles)</p> <p>_____</p> <p>ii. Stationary sources during construction (e.g., power generation, structural heating, batch plant, crushers)</p> <p>_____</p> <p>iii. Stationary sources during operations (e.g., process emissions, large boilers, electric generation)</p> <p>_____</p> | |
| <p>g. Will any air emission sources named in D.2.f (above), require a NY State Air Registration, Air Facility Permit, or Federal Clean Air Act Title IV or Title V Permit? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes:</p> <p>i. Is the project site located in an Air quality non-attainment area? (Area routinely or periodically fails to meet ambient air quality standards for all or some parts of the year) <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>ii. In addition to emissions as calculated in the application, the project will generate:</p> <ul style="list-style-type: none"> • _____ Tons/year (short tons) of Carbon Dioxide (CO₂) • _____ Tons/year (short tons) of Nitrous Oxide (N₂O) • _____ Tons/year (short tons) of Perfluorocarbons (PFCs) • _____ Tons/year (short tons) of Sulfur Hexafluoride (SF₆) • _____ Tons/year (short tons) of Carbon Dioxide equivalent of Hydrofluorocarbons (HFCs) • _____ Tons/year (short tons) of Hazardous Air Pollutants (HAPs) | |

| | | | |
|---|---|--|---|
| <p>h. Will the proposed action generate or emit methane (including, but not limited to, sewage treatment plants, landfills, composting facilities)? <input type="checkbox"/> Yes <input type="checkbox"/> No 21</p> <p>If Yes:</p> <p>i. Estimate methane generation in tons/year (metric): _____</p> <p>ii. Describe any methane capture, control or elimination measures included in project design (e.g., combustion to generate heat or electricity, flaring): _____</p> | | | |
| <p>i. Will the proposed action result in the release of air pollutants from open-air operations or processes, such as quarry or landfill operations? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes: Describe operations and nature of emissions (e.g., diesel exhaust, rock particulates/dust): _____</p> | | | |
| <p>j. Will the proposed action result in a substantial increase in traffic above present levels or generate substantial new demand for transportation facilities or services? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes:</p> <p>i. When is the peak traffic expected (Check all that apply): <input type="checkbox"/> Morning <input type="checkbox"/> Evening <input type="checkbox"/> Weekend <input type="checkbox"/> Randomly between hours of _____ to _____</p> <p>ii. For commercial activities only, projected number of truck trips/day and type (e.g., semi trailers and dump trucks): _____</p> <p>iii. Parking spaces: Existing _____ Proposed _____ Net increase/decrease _____</p> <p>iv. Does the proposed action include any shared use parking? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>v. If the proposed action includes any modification of existing roads, creation of new roads or change in existing access, describe: _____</p> <p>vi. Are public/private transportation service(s) or facilities available within ½ mile of the proposed site? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>vii. Will the proposed action include access to public transportation or accommodations for use of hybrid, electric or other alternative fueled vehicles? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>viii. Will the proposed action include plans for pedestrian or bicycle accommodations for connections to existing pedestrian or bicycle routes? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> | | | |
| <p>k. Will the proposed action (for commercial or industrial projects only) generate new or additional demand for energy? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes:</p> <p>i. Estimate annual electricity demand during operation of the proposed action: _____</p> <p>ii. Anticipated sources/suppliers of electricity for the project (e.g., on-site combustion, on-site renewable, via grid/local utility, or other): _____</p> <p>iii. Will the proposed action require a new, or an upgrade, to an existing substation? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> | | | |
| <p>l. Hours of operation. Answer all items which apply.</p> <table style="width: 100%;"> <tr> <td style="width: 50%; vertical-align: top;"> <p>i. During Construction:</p> <ul style="list-style-type: none"> • Monday - Friday: _____ • Saturday: _____ • Sunday: _____ • Holidays: _____ </td> <td style="width: 50%; vertical-align: top;"> <p>ii. During Operations:</p> <ul style="list-style-type: none"> • Monday - Friday: _____ • Saturday: _____ • Sunday: _____ • Holidays: _____ </td> </tr> </table> | | <p>i. During Construction:</p> <ul style="list-style-type: none"> • Monday - Friday: _____ • Saturday: _____ • Sunday: _____ • Holidays: _____ | <p>ii. During Operations:</p> <ul style="list-style-type: none"> • Monday - Friday: _____ • Saturday: _____ • Sunday: _____ • Holidays: _____ |
| <p>i. During Construction:</p> <ul style="list-style-type: none"> • Monday - Friday: _____ • Saturday: _____ • Sunday: _____ • Holidays: _____ | <p>ii. During Operations:</p> <ul style="list-style-type: none"> • Monday - Friday: _____ • Saturday: _____ • Sunday: _____ • Holidays: _____ | | |

m. Will the proposed action produce noise that will exceed existing ambient noise levels during construction, operation, or both? ☐ Yes ☐ No 22

If yes:

i. Provide details including sources, time of day and duration:

ii. Will the proposed action remove existing natural barriers that could act as a noise barrier or screen? ☐ Yes ☐ No
Describe: _____

n. Will the proposed action have outdoor lighting? ☐ Yes ☐ No

If yes:

i. Describe source(s), location(s), height of fixture(s), direction/aim, and proximity to nearest occupied structures:

ii. Will proposed action remove existing natural barriers that could act as a light barrier or screen? ☐ Yes ☐ No
Describe: _____

o. Does the proposed action have the potential to produce odors for more than one hour per day? ☐ Yes ☐ No

If Yes, describe possible sources, potential frequency and duration of odor emissions, and proximity to nearest occupied structures: _____

p. Will the proposed action include any bulk storage of petroleum (combined capacity of over 1,100 gallons) or chemical products 185 gallons in above ground storage or any amount in underground storage? ☐ Yes ☐ No

If Yes:

i. Product(s) to be stored _____
ii. Volume(s) _____ per unit time _____ (e.g., month, year)
iii. Generally, describe the proposed storage facilities: _____

q. Will the proposed action (commercial, industrial and recreational projects only) use pesticides (i.e., herbicides, insecticides) during construction or operation? ☐ Yes ☐ No

If Yes:

i. Describe proposed treatment(s): _____

ii. Will the proposed action use Integrated Pest Management Practices? ☐ Yes ☐ No

r. Will the proposed action (commercial or industrial projects only) involve or require the management or disposal of solid waste (excluding hazardous materials)? ☐ Yes ☐ No

If Yes:

i. Describe any solid waste(s) to be generated during construction or operation of the facility:

- Construction: _____ tons per _____ (unit of time)
- Operation : _____ tons per _____ (unit of time)

ii. Describe any proposals for on-site minimization, recycling or reuse of materials to avoid disposal as solid waste:

- Construction: _____
- Operation: _____

iii. Proposed disposal methods/facilities for solid waste generated on-site:

- Construction: _____
- Operation: _____

s. Does the proposed action include construction or modification of a solid waste management facility? ☐ Yes ☐ No 23

If Yes:

i. Type of management or handling of waste proposed for the site (e.g., recycling or transfer station, composting, landfill, or other disposal activities): _____

ii. Anticipated rate of disposal/processing:

- _____ Tons/month, if transfer or other non-combustion/thermal treatment, or
- _____ Tons/hour, if combustion or thermal treatment

iii. If landfill, anticipated site life: _____ years

t. Will the proposed action at the site involve the commercial generation, treatment, storage, or disposal of hazardous waste? ☐ Yes ☐ No

If Yes:

i. Name(s) of all hazardous wastes or constituents to be generated, handled or managed at facility: _____

ii. Generally describe processes or activities involving hazardous wastes or constituents: _____

iii. Specify amount to be handled or generated _____ tons/month

iv. Describe any proposals for on-site minimization, recycling or reuse of hazardous constituents: _____

v. Will any hazardous wastes be disposed at an existing offsite hazardous waste facility? ☐ Yes ☐ No

If Yes: provide name and location of facility: _____

If No: describe proposed management of any hazardous wastes which will not be sent to a hazardous waste facility: _____

E. Site and Setting of Proposed Action

E.1. Land uses on and surrounding the project site

a. Existing land uses.

i. Check all uses that occur on, adjoining and near the project site.

☐ Urban ☐ Industrial ☐ Commercial ☐ Residential (suburban) ☐ Rural (non-farm)

☐ Forest ☐ Agriculture ☐ Aquatic ☐ Other (specify): _____

ii. If mix of uses, generally describe: _____

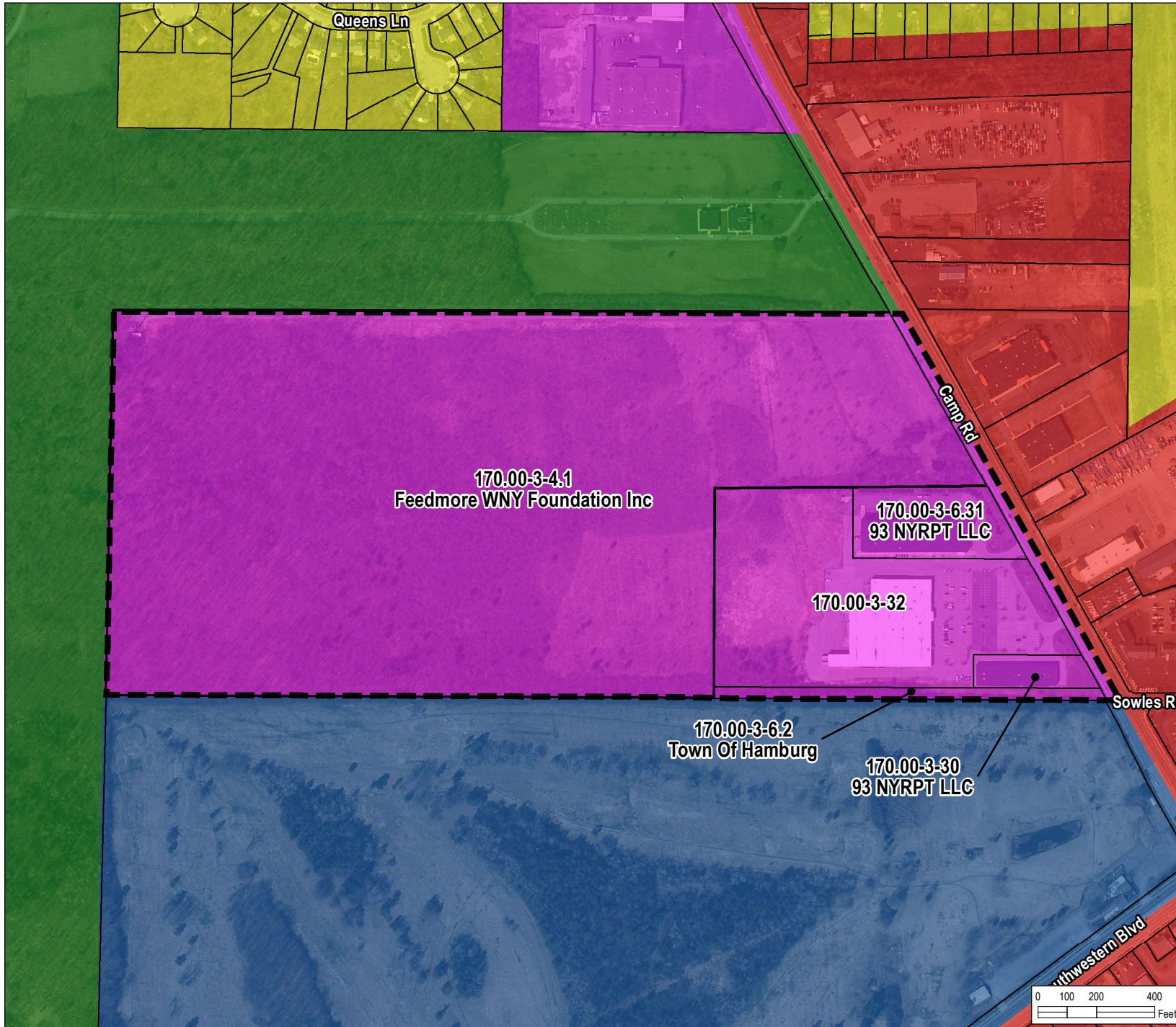
b. Land uses and covertypes on the project site.

| Land use or Covertype | Current Acreage | Acreage After Project Completion | Change (Acres +/-) |
|--|--------------------|-------------------------------------|-----------------------|
| • Roads, buildings, and other paved or impervious surfaces | | | |
| • Forested | | | |
| • Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural) | | | |
| • Agricultural (includes active orchards, field, greenhouse etc.) | | | |
| • Surface water features (lakes, ponds, streams, rivers, etc.) | | | |
| • Wetlands (freshwater or tidal) | | | |
| • Non-vegetated (bare rock, earth or fill) | | | |
| • Other Describe: _____ | | | |

| | |
|--|--|
| c. Is the project site presently used by members of the community for public recreation? | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| i. If Yes: explain: _____ | |
| d. Are there any facilities serving children, the elderly, people with disabilities (e.g., schools, hospitals, licensed day care centers, or group homes) within 1500 feet of the project site? | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| If Yes, | |
| i. Identify Facilities: _____ _____ | |
| e. Does the project site contain an existing dam? | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| If Yes: | |
| i. Dimensions of the dam and impoundment: | |
| • Dam height: _____ | feet |
| • Dam length: _____ | feet |
| • Surface area: _____ | acres |
| • Volume impounded: _____ | gallons OR acre-feet |
| ii. Dam's existing hazard classification: _____ | |
| iii. Provide date and summarize results of last inspection: _____ _____ | |
| f. Has the project site ever been used as a municipal, commercial or industrial solid waste management facility, or does the project site adjoin property which is now, or was at one time, used as a solid waste management facility? | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| If Yes: | |
| i. Has the facility been formally closed? | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • If yes, cite sources/documentation: _____ | |
| ii. Describe the location of the project site relative to the boundaries of the solid waste management facility: _____ _____ | |
| iii. Describe any development constraints due to the prior solid waste activities: _____ _____ | |
| g. Have hazardous wastes been generated, treated and/or disposed of at the site, or does the project site adjoin property which is now or was at one time used to commercially treat, store and/or dispose of hazardous waste? | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| If Yes: | |
| i. Describe waste(s) handled and waste management activities, including approximate time when activities occurred: _____ _____ | |
| h. Potential contamination history. Has there been a reported spill at the proposed project site, or have any remedial actions been conducted at or adjacent to the proposed site? | |
| | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| If Yes: | |
| i. Is any portion of the site listed on the NYSDEC Spills Incidents database or Environmental Site Remediation database? Check all that apply: | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| <input type="checkbox"/> Yes – Spills Incidents database | Provide DEC ID number(s): _____ |
| <input type="checkbox"/> Yes – Environmental Site Remediation database | Provide DEC ID number(s): _____ |
| <input type="checkbox"/> Neither database | |
| ii. If site has been subject of RCRA corrective activities, describe control measures: _____ _____ | |
| iii. Is the project within 2000 feet of any site in the NYSDEC Environmental Site Remediation database? | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| If yes, provide DEC ID number(s): _____ | |
| iv. If yes to (i), (ii) or (iii) above, describe current status of site(s): _____ _____ | |

| | |
|--|--|
| v. Is the project site subject to an institutional control limiting property uses? <ul style="list-style-type: none"> • If yes, DEC site ID number: _____ • Describe the type of institutional control (e.g., deed restriction or easement): _____ • Describe any use limitations: _____ • Describe any engineering controls: _____ • Will the project affect the institutional or engineering controls in place? <input type="checkbox"/> Yes <input type="checkbox"/> No • Explain: _____ | <input type="checkbox"/> Yes <input type="checkbox"/> No 25 |
| E.2. Natural Resources On or Near Project Site | |
| a. What is the average depth to bedrock on the project site? _____ feet | |
| b. Are there bedrock outcroppings on the project site? <input type="checkbox"/> Yes <input type="checkbox"/> No If Yes, what proportion of the site is comprised of bedrock outcroppings? _____ % | |
| c. Predominant soil type(s) present on project site: _____ % _____ % _____ % | |
| d. What is the average depth to the water table on the project site? Average: _____ feet | |
| e. Drainage status of project site soils: <input type="checkbox"/> Well Drained: _____ % of site <input type="checkbox"/> Moderately Well Drained: _____ % of site <input type="checkbox"/> Poorly Drained: _____ % of site | |
| f. Approximate proportion of proposed action site with slopes: <input type="checkbox"/> 0-10%: _____ % of site <input type="checkbox"/> 10-15%: _____ % of site <input type="checkbox"/> 15% or greater: _____ % of site | |
| g. Are there any unique geologic features on the project site? <input type="checkbox"/> Yes <input type="checkbox"/> No If Yes, describe: _____ | |
| h. Surface water features. | |
| i. Does any portion of the project site contain wetlands or other waterbodies (including streams, rivers, ponds or lakes)? <input type="checkbox"/> Yes <input type="checkbox"/> No | |
| ii. Do any wetlands or other waterbodies adjoin the project site? <input type="checkbox"/> Yes <input type="checkbox"/> No | |
| If Yes to either i or ii, continue. If No, skip to E.2.i. | |
| iii. Are any of the wetlands or waterbodies within or adjoining the project site regulated by any federal, state or local agency? <input type="checkbox"/> Yes <input type="checkbox"/> No | |
| iv. For each identified regulated wetland and waterbody on the project site, provide the following information: | |
| <ul style="list-style-type: none"> • Streams: Name _____ Classification _____ • Lakes or Ponds: Name _____ Classification _____ • Wetlands: Name _____ Approximate Size _____ • Wetland No. (if regulated by DEC) _____ | |
| v. Are any of the above water bodies listed in the most recent compilation of NYS water quality-impaired waterbodies? <input type="checkbox"/> Yes <input type="checkbox"/> No | |
| If yes, name of impaired water body/bodies and basis for listing as impaired: _____ | |
| i. Is the project site in a designated Floodway? <input type="checkbox"/> Yes <input type="checkbox"/> No | |
| j. Is the project site in the 100-year Floodplain? <input type="checkbox"/> Yes <input type="checkbox"/> No | |
| k. Is the project site in the 500-year Floodplain? <input type="checkbox"/> Yes <input type="checkbox"/> No | |
| l. Is the project site located over, or immediately adjoining, a primary, principal or sole source aquifer? <input type="checkbox"/> Yes <input type="checkbox"/> No | |
| If Yes: | |
| i. Name of aquifer: _____ | |

| | |
|--|----|
| <p>m. Identify the predominant wildlife species that occupy or use the project site: _____</p> <p>_____</p> <p>_____</p> | 26 |
| <p>n. Does the project site contain a designated significant natural community? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes:</p> <p style="margin-left: 20px;">i. Describe the habitat/community (composition, function, and basis for designation): _____</p> <p style="margin-left: 20px;">ii. Source(s) of description or evaluation: _____</p> <p style="margin-left: 20px;">iii. Extent of community/habitat:</p> <ul style="list-style-type: none"> • Currently: _____ acres • Following completion of project as proposed: _____ acres • Gain or loss (indicate + or -): _____ acres | |
| <p>o. Does project site contain any species of plant or animal that is listed by the federal government or NYS as endangered or threatened, or does it contain any areas identified as habitat for an endangered or threatened species? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes:</p> <p style="margin-left: 20px;">i. Species and listing (endangered or threatened): _____</p> <p>_____</p> | |
| <p>p. Does the project site contain any species of plant or animal that is listed by NYS as rare, or as a species of special concern? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes:</p> <p style="margin-left: 20px;">i. Species and listing: _____</p> <p>_____</p> | |
| <p>q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If yes, give a brief description of how the proposed action may affect that use: _____</p> <p>_____</p> | |
| <p>E.3. Designated Public Resources On or Near Project Site</p> | |
| <p>a. Is the project site, or any portion of it, located in a designated agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes, provide county plus district name/number: _____</p> | |
| <p>b. Are agricultural lands consisting of highly productive soils present? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p style="margin-left: 20px;">i. If Yes: acreage(s) on project site? _____</p> <p style="margin-left: 20px;">ii. Source(s) of soil rating(s): _____</p> | |
| <p>c. Does the project site contain all or part of, or is it substantially contiguous to, a registered National Natural Landmark? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes:</p> <p style="margin-left: 20px;">i. Nature of the natural landmark: <input type="checkbox"/> Biological Community <input type="checkbox"/> Geological Feature</p> <p style="margin-left: 20px;">ii. Provide brief description of landmark, including values behind designation and approximate size/extent: _____</p> <p>_____</p> | |
| <p>d. Is the project site located in or does it adjoin a state listed Critical Environmental Area? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes:</p> <p style="margin-left: 20px;">i. CEA name: _____</p> <p style="margin-left: 20px;">ii. Basis for designation: _____</p> <p style="margin-left: 20px;">iii. Designating agency and date: _____</p> | |



Town of Hamburg

Erie County, New York

Proposed Industrial Zoned Properties Changes

Camp Rd and Sowles Rd
Area



LEGEND

- Parcels (2022)
- Area in Question
- Town of Hamburg Zoning
as of 6/28/2022**
- C2
- M2
- PUD
- R2
- RA

Town Board of the Town of Hamburg
March 13, 2023 Meeting

12. Industrial Rezoning Resolution - Lakeview

WHEREAS, this resolution introduces a proposed amendment to the Zoning Map of the Town of Hamburg to rezone parcels near the intersection of Lakeview Road, Old Lakeview Road, and Evans Road with the following SBL numbers from M-2 Light Industrial to C-2 General Commercial: 195.11-3-1, 195.11-3-2, 195.00-2-25.112, 195.11-3-3.1, 195.11-2-10, 195.11-3-3.22, 195.00-2-25.12, 195.11-3-5, 195.11-2-2.6, 195.11-2-8, 195.11-2-9, and 195.15-1-1.2; and

WHEREAS, the proposed zoning map amendment is proposed in the form of a Local Law pursuant to the authority granted to the Town of Hamburg (“Town”) Town Board (“Town Board”) and the Town by Articles 2 and 3 of the New York State Municipal Home Rule Law and by Article 2 of the New York State Statute of Local Governments, and the Town Board is authorized and empowered by Chapter 280, Article XLVIII of the Code, and Article 16 of New York Town Law to amend the Zoning Map of the Town to meet the growing and changing needs of the Town; and

WHEREAS, since 2019, the Town has been in the process of updating its Comprehensive Plan, and evaluating potential Zoning Code and Zoning Map amendments throughout the Town, including industrial properties, and evaluating other land use issues throughout the Town; and

WHEREAS, through the process of updating its Comprehensive Plan, the Town has identified areas that it views as improperly zoned in light of changes in the Town and the region since the adoption of the last Comprehensive Plan update in 2008; and

WHEREAS, the Town’s new 2022 Comprehensive Plan (“Plan”) has been adopted and the Town Board has authorized the Town’s Planning Department and the Town’s Planning Consultant to begin the implementation of the Plan; and

WHEREAS, in anticipation of the introduction of the proposed zoning map amendment, the Town’s Planning Consultant has prepared for the Town Board’s review Part 1 of a Full Environmental Assessment Form (“FEAF”), pursuant to SEQRA, of which a copy is attached as Exhibit A to this Resolution; and

WHEREAS, pursuant to New York State Municipal Rule Law § 20, a copy of this Resolution was received by each member of the Town Board prior to this meeting and the Proposed Local Law shall be deemed to be on the desk of each member of the Town Board as of tonight’s Town Board meeting.

NOW THEREFORE, BE IT RESOLVED BY THE TOWN BOARD OF THE TOWN OF HAMBURG AS FOLLOWS:

1. The Town Board has determined that they would like to proceed with the rezoning of these parcels.
2. For the reasons set forth in this Resolution, and pursuant to New York State Municipal Home Rule Law § 20 and Sections 8-15 and 280-338 of the Code, the Town Board hereby introduces Town of Hamburg “Local Law No. x of 2023, A local law to amend the Zoning Map of the Town of Hamburg to rezone parcels near the intersection of Lakeview Road, Old Lakeview Road, and Evans Road with the following SBL numbers from M-2 Light Industrial to C-2 General Commercial: 195.11-3-1, 195.11-3-2, 195.00-2-25.112, 195.11-3-3.1, 195.11-2-10, 195.11-3-3.22, 195.00-2-25.12, 195.11-3-5, 195.11-2-2.6, 195.11-2-8, 195.11-2-9, and 195.15-1-1.2.

3. Pursuant to provisions of SEQRA, the Town Board hereby determines to classify the adoption of the proposed zoning map amendment (the “proposed action” in accordance with SEQRA) as a Type I action in accordance with Article 8 of the New York State Environmental Conservation Law and 6 NYCRR Part 617.4(b)(2).
4. Further, pursuant to SEQRA, the Town Board further determines that it will be the only agency with approval authority over the proposed action. Accordingly, the Town Board hereby declares itself to be the Lead Agency for the conduct of the environmental review of the proposed action under SEQRA.
5. The Town Board hereby accepts the FEAF for the proposed action, which has been prepared by the Town’s Planning Consultant, a copy of which is attached as Exhibit A to this Resolution.
6. The Town Board hereby directs that the proposed zoning map amendment be referred to the Erie County Department of Environment and Planning pursuant to Section 239-m of the New York State General Municipal Law.
7. The Town Board hereby directs that the proposed zoning map amendment be referred to the Town Planning Board for its review and for an advisory report pursuant to § 280-340(B) of the Code. The Planning Board shall deliver its response to this referral to the Town Board.
8. The Town Board hereby directs that the proposed zoning map amendment be referred to the Town’s Code Review Committee for its review.
9. In accordance with New York State Municipal Home Rule Law § 20(5), the Town Board shall schedule a public hearing on the proposed zoning map amendment at a future meeting of the Town Board at a time and date as yet to be determined, to be held at the Town of Hamburg Town Hall, located at 6100 South Park Avenue, Hamburg, New York 14075. The Town Board directs the Town Clerk to provide notice to the public of the public hearing in accordance with the requirements set forth in the New York State Municipal Home Rule Law, Article 16 of New York Town Law, and § 280-340 of the Code, and directs the Town Clerk to publish of the proposed zoning map amendment in the Town’s official newspaper not less than ten (10) calendar days prior to the public hearing.
10. The Town Board also directs the Town Clerk to post a copy of the proposed zoning map amendment on the Town’s web site, and to make a paper copy of the proposed Local Laws available for review by the public at the Town Hall, located at 6100 South Park Avenue, Hamburg, New York 14075.
11. The Town Board hereby directs the Town’s Planning Consultant to prepare for the Town Board’s review at a later date a Part 2 and Part 3 of the SEQRA Environmental Assessment Form for the Town Board’s review and consideration.

Moved: R. Hoak

ATTACHMENTS:

| Description | Upload Date | Type |
|------------------------------------|-------------|-----------------|
| Lakeview | 3/9/2023 | Cover Memo |
| Industrial Rezoning Map - Lakeview | 3/9/2023 | Backup Material |

Full Environmental Assessment Form
Part 1 - Project and Setting

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Instructions for Completing Part 1

Part 1 is to be completed by the applicant or project sponsor. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification.

Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information; indicate whether missing information does not exist, or is not reasonably available to the sponsor; and, when possible, generally describe work or studies which would be necessary to update or fully develop that information.

Applicants/sponsors must complete all items in Sections A & B. In Sections C, D & E, most items contain an initial question that must be answered either "Yes" or "No". If the answer to the initial question is "Yes", complete the sub-questions that follow. If the answer to the initial question is "No", proceed to the next question. Section F allows the project sponsor to identify and attach any additional information. Section G requires the name and signature of the applicant or project sponsor to verify that the information contained in Part 1 is accurate and complete.

A. Project and Applicant/Sponsor Information.

| | | |
|---|-----------|-------------------------|
| Name of Action or Project: Lakeview Rezoning | | |
| Project Location (describe, and attach a general location map): Near intersection of Lakeview Road, Old Lakeview Road, and Evans Street | | |
| Brief Description of Proposed Action (include purpose or need): Rezone parcels 195.11-3-1, 195.11-3-2, 195.00-2-25.112, 195.11-3-3.1, 195.11-2-10, 195.11-3-3.22, 195.00-2-25.12, 195.11-3-5, 195.11-2-2.8, 195.11-2-9, and 195.15-1-1.2 from M-2 (Light Industrial District) to C-2 (General Commercial District) | | |
| Name of Applicant/Sponsor: Town of Hamburg | | Telephone: 716-649-6111 |
| | | E-Mail: |
| Address: 6100 South Park Avenue | | |
| City/PO: Hamburg | State: NY | Zip Code: 14075 |
| Project Contact (if not same as sponsor; give name and title/role): | | Telephone: |
| | | E-Mail: |
| Address: | | |
| City/PO: | State: | Zip Code: |
| Property Owner (if not same as sponsor): | | Telephone: |
| | | E-Mail: |
| Address: | | |
| City/PO: | State: | Zip Code: |

B. Government Approvals

| B. Government Approvals, Funding, or Sponsorship. ("Funding" includes grants, loans, tax relief, and any other forms of financial assistance.) | | |
|--|---|---|
| Government Entity | If Yes: Identify Agency and Approval(s) Required | Application Date (Actual or projected) |
| a. City Council, Town Board, <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No or Village Board of Trustees | | |
| b. City, Town or Village <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Planning Board or Commission | | |
| c. City, Town or <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Village Zoning Board of Appeals | | |
| d. Other local agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | | |
| e. County agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | County 239 referral | |
| f. Regional agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | | |
| g. State agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | | |
| h. Federal agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | | |
| i. Coastal Resources. i. Is the project site within a Coastal Area, or the waterfront area of a Designated Inland Waterway? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No ii. Is the project site located in a community with an approved Local Waterfront Revitalization Program? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No iii. Is the project site within a Coastal Erosion Hazard Area? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | | |

C. Planning and Zoning

| | |
|---|--|
| C.1. Planning and zoning actions. | |
| Will administrative or legislative adoption, or amendment of a plan, local law, ordinance, rule or regulation be the only approval(s) which must be granted to enable the proposed action to proceed? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No • If Yes, complete sections C, F and G. • If No, proceed to question C.2 and complete all remaining sections and questions in Part 1 | |
| C.2. Adopted land use plans. | |
| a. Do any municipally- adopted (city, town, village or county) comprehensive land use plan(s) include the site where the proposed action would be located? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If Yes, does the comprehensive plan include specific recommendations for the site where the proposed action would be located? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | |
| b. Is the site of the proposed action within any local or regional special planning district (for example: Greenway; Brownfield Opportunity Area (BOA); designated State or Federal heritage area; watershed management plan; or other?) <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If Yes, identify the plan(s): NYS Heritage Area: West Erie Canal Corridor _____ _____ _____ | |
| c. Is the proposed action located wholly or partially within an area listed in an adopted municipal open space plan, or an adopted municipal farmland protection plan? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If Yes, identify the plan(s): Open Space and Greenspace Plan _____ _____ _____ | |

C.3. Zoning

33

a. Is the site of the proposed action located in a municipality with an adopted zoning law or ordinance. ☒ Yes ☐ No
If Yes, what is the zoning classification(s) including any applicable overlay district?

b. Is the use permitted or allowed by a special or conditional use permit? ☐ Yes ☐ No

c. Is a zoning change requested as part of the proposed action? ☒ Yes ☐ No

If Yes,

i. What is the proposed new zoning for the site? C-2 General Commercial

C.4. Existing community services.

a. In what school district is the project site located? Hamburg CSD

b. What police or other public protection forces serve the project site?

Hamburg Police and Erie County Sheriff's

c. Which fire protection and emergency medical services serve the project site?

Hamburg Volunteer Fire Department

d. What parks serve the project site?

Memorial Park and Legion Field

D. Project Details**D.1. Proposed and Potential Development**

a. What is the general nature of the proposed action (e.g., residential, industrial, commercial, recreational; if mixed, include all components)?

b. a. Total acreage of the site of the proposed action? _____ acres

b. Total acreage to be physically disturbed? _____ acres

c. Total acreage (project site and any contiguous properties) owned
or controlled by the applicant or project sponsor? _____ acres

c. Is the proposed action an expansion of an existing project or use? ☐ Yes ☐ No

i. If Yes, what is the approximate percentage of the proposed expansion and identify the units (e.g., acres, miles, housing units, square feet)? % _____ Units: _____

d. Is the proposed action a subdivision, or does it include a subdivision? ☐ Yes ☐ No

If Yes,

i. Purpose or type of subdivision? (e.g., residential, industrial, commercial; if mixed, specify types)

ii. Is a cluster/conservation layout proposed? ☐ Yes ☐ No

iii. Number of lots proposed? _____

iv. Minimum and maximum proposed lot sizes? Minimum _____ Maximum _____

e. Will the proposed action be constructed in multiple phases? ☐ Yes ☐ No

i. If No, anticipated period of construction: _____ months

ii. If Yes:

- Total number of phases anticipated _____

- Anticipated commencement date of phase 1 (including demolition) _____ month _____ year

- Anticipated completion date of final phase _____ month _____ year

- Generally describe connections or relationships among phases, including any contingencies where progress of one phase may determine timing or duration of future phases: _____

| | | | | |
|---|-------------------|-------------------|---------------------|---------------------------------------|
| f. Does the project include new residential uses? <input type="checkbox"/> Yes <input type="checkbox"/> No 34 If Yes, show numbers of units proposed. | | | | |
| | <u>One Family</u> | <u>Two Family</u> | <u>Three Family</u> | <u>Multiple Family (four or more)</u> |
| Initial Phase | _____ | _____ | _____ | _____ |
| At completion | _____ | _____ | _____ | _____ |
| of all phases | _____ | _____ | _____ | _____ |

| | |
|---|--|
| g. Does the proposed action include new non-residential construction (including expansions)? <input type="checkbox"/> Yes <input type="checkbox"/> No If Yes, | |
| i. Total number of structures _____ ii. Dimensions (in feet) of largest proposed structure: _____ height; _____ width; and _____ length iii. Approximate extent of building space to be heated or cooled: _____ square feet | |

| | |
|---|--|
| h. Does the proposed action include construction or other activities that will result in the impoundment of any liquids, such as creation of a water supply, reservoir, pond, lake, waste lagoon or other storage? <input type="checkbox"/> Yes <input type="checkbox"/> No If Yes, | |
| i. Purpose of the impoundment: _____ ii. If a water impoundment, the principal source of the water: <input type="checkbox"/> Ground water <input type="checkbox"/> Surface water streams <input type="checkbox"/> Other specify: _____ iii. If other than water, identify the type of impounded/contained liquids and their source. _____ iv. Approximate size of the proposed impoundment. Volume: _____ million gallons; surface area: _____ acres v. Dimensions of the proposed dam or impounding structure: _____ height; _____ length vi. Construction method/materials for the proposed dam or impounding structure (e.g., earth fill, rock, wood, concrete): _____ | |

D.2. Project Operations

| | |
|---|--|
| a. Does the proposed action include any excavation, mining, or dredging, during construction, operations, or both? <input type="checkbox"/> Yes <input type="checkbox"/> No (Not including general site preparation, grading or installation of utilities or foundations where all excavated materials will remain onsite) If Yes: | |
| i. What is the purpose of the excavation or dredging? _____ ii. How much material (including rock, earth, sediments, etc.) is proposed to be removed from the site? • Volume (specify tons or cubic yards): _____ • Over what duration of time? _____ iii. Describe nature and characteristics of materials to be excavated or dredged, and plans to use, manage or dispose of them. _____ _____ _____ iv. Will there be onsite dewatering or processing of excavated materials? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, describe. _____ _____ _____ v. What is the total area to be dredged or excavated? _____ acres vi. What is the maximum area to be worked at any one time? _____ acres vii. What would be the maximum depth of excavation or dredging? _____ feet viii. Will the excavation require blasting? <input type="checkbox"/> Yes <input type="checkbox"/> No ix. Summarize site reclamation goals and plan: _____ _____ _____ _____ | |

| | |
|---|--|
| b. Would the proposed action cause or result in alteration of, increase or decrease in size of, or encroachment into any existing wetland, waterbody, shoreline, beach or adjacent area? <input type="checkbox"/> Yes <input type="checkbox"/> No If Yes: | |
| i. Identify the wetland or waterbody which would be affected (by name, water index number, wetland map number or geographic description): _____ _____ _____ | |

ii. Describe how the proposed action would affect that waterbody or wetland, e.g. excavation, fill, placement of structures, or alteration of channels, banks and shorelines. Indicate extent of activities, alterations and additions in square feet or acres:

iii. Will the proposed action cause or result in disturbance to bottom sediments?

☐ Yes ☐ No

If Yes, describe:

iv. Will the proposed action cause or result in the destruction or removal of aquatic vegetation?

☐ Yes ☐ No

If Yes:

- acres of aquatic vegetation proposed to be removed: _____

- expected acreage of aquatic vegetation remaining after project completion: _____

- purpose of proposed removal (e.g. beach clearing, invasive species control, boat access): _____

- proposed method of plant removal: _____

- if chemical/herbicide treatment will be used, specify product(s): _____

v. Describe any proposed reclamation/mitigation following disturbance: _____

c. Will the proposed action use, or create a new demand for water?

☐ Yes ☐ No

If Yes:

i. Total anticipated water usage/demand per day: _____ gallons/day

ii. Will the proposed action obtain water from an existing public water supply?

☐ Yes ☐ No

If Yes:

- Name of district or service area: _____

- Does the existing public water supply have capacity to serve the proposal?

☐ Yes ☐ No

- Is the project site in the existing district?

☐ Yes ☐ No

- Is expansion of the district needed?

☐ Yes ☐ No

- Do existing lines serve the project site?

☐ Yes ☐ No

iii. Will line extension within an existing district be necessary to supply the project?

☐ Yes ☐ No

If Yes:

- Describe extensions or capacity expansions proposed to serve this project: _____

- Source(s) of supply for the district: _____

iv. Is a new water supply district or service area proposed to be formed to serve the project site?

☐ Yes ☐ No

If Yes:

- Applicant/sponsor for new district: _____

- Date application submitted or anticipated: _____

- Proposed source(s) of supply for new district: _____

v. If a public water supply will not be used, describe plans to provide water supply for the project: _____

vi. If water supply will be from wells (public or private), what is the maximum pumping capacity: _____ gallons/minute.

d. Will the proposed action generate liquid wastes?

☐ Yes ☐ No

If Yes:

i. Total anticipated liquid waste generation per day: _____ gallons/day

ii. Nature of liquid wastes to be generated (e.g., sanitary wastewater, industrial; if combination, describe all components and approximate volumes or proportions of each): _____

iii. Will the proposed action use any existing public wastewater treatment facilities?

☐ Yes ☐ No

If Yes:

- Name of wastewater treatment plant to be used: _____

- Name of district: _____

- Does the existing wastewater treatment plant have capacity to serve the project?

☐ Yes ☐ No

- Is the project site in the existing district?

☐ Yes ☐ No

- Is expansion of the district needed?

☐ Yes ☐ No

- Do existing sewer lines serve the project site? ☐ Yes ☐ No
- Will a line extension within an existing district be necessary to serve the project? ☐ Yes ☐ No

If Yes:

- Describe extensions or capacity expansions proposed to serve this project: _____

- iv. Will a new wastewater (sewage) treatment district be formed to serve the project site? ☐ Yes ☐ No

If Yes:

- Applicant/sponsor for new district: _____
- Date application submitted or anticipated: _____
- What is the receiving water for the wastewater discharge? _____

- v. If public facilities will not be used, describe plans to provide wastewater treatment for the project, including specifying proposed receiving water (name and classification if surface discharge or describe subsurface disposal plans):

- vi. Describe any plans or designs to capture, recycle or reuse liquid waste: _____

- e. Will the proposed action disturb more than one acre and create stormwater runoff, either from new point sources (i.e. ditches, pipes, swales, curbs, gutters or other concentrated flows of stormwater) or non-point source (i.e. sheet flow) during construction or post construction? ☐ Yes ☐ No

If Yes:

- i. How much impervious surface will the project create in relation to total size of project parcel?

_____ Square feet or _____ acres (impervious surface)

_____ Square feet or _____ acres (parcel size)

- ii. Describe types of new point sources. _____

- iii. Where will the stormwater runoff be directed (i.e. on-site stormwater management facility/structures, adjacent properties, groundwater, on-site surface water or off-site surface waters)?

- If to surface waters, identify receiving water bodies or wetlands: _____

- Will stormwater runoff flow to adjacent properties? ☐ Yes ☐ No

- iv. Does the proposed plan minimize impervious surfaces, use pervious materials or collect and re-use stormwater? ☐ Yes ☐ No

- f. Does the proposed action include, or will it use on-site, one or more sources of air emissions, including fuel combustion, waste incineration, or other processes or operations? ☐ Yes ☐ No

If Yes, identify:

- i. Mobile sources during project operations (e.g., heavy equipment, fleet or delivery vehicles)

- ii. Stationary sources during construction (e.g., power generation, structural heating, batch plant, crushers)

- iii. Stationary sources during operations (e.g., process emissions, large boilers, electric generation)

- g. Will any air emission sources named in D.2.f (above), require a NY State Air Registration, Air Facility Permit, or Federal Clean Air Act Title IV or Title V Permit? ☐ Yes ☐ No

If Yes:

- i. Is the project site located in an Air quality non-attainment area? (Area routinely or periodically fails to meet ambient air quality standards for all or some parts of the year) ☐ Yes ☐ No

- ii. In addition to emissions as calculated in the application, the project will generate:

- _____ Tons/year (short tons) of Carbon Dioxide (CO₂)
- _____ Tons/year (short tons) of Nitrous Oxide (N₂O)
- _____ Tons/year (short tons) of Perfluorocarbons (PFCs)
- _____ Tons/year (short tons) of Sulfur Hexafluoride (SF₆)
- _____ Tons/year (short tons) of Carbon Dioxide equivalent of Hydrofluorocarbons (HFCs)
- _____ Tons/year (short tons) of Hazardous Air Pollutants (HAPs)

| | | | |
|---|---|--|---|
| <p>h. Will the proposed action generate or emit methane (including, but not limited to, sewage treatment plants, landfills, composting facilities)? <input type="checkbox"/> Yes <input type="checkbox"/> No 37</p> <p>If Yes:</p> <p>i. Estimate methane generation in tons/year (metric): _____</p> <p>ii. Describe any methane capture, control or elimination measures included in project design (e.g., combustion to generate heat or electricity, flaring): _____</p> | | | |
| <p>i. Will the proposed action result in the release of air pollutants from open-air operations or processes, such as quarry or landfill operations? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes: Describe operations and nature of emissions (e.g., diesel exhaust, rock particulates/dust): _____</p> | | | |
| <p>j. Will the proposed action result in a substantial increase in traffic above present levels or generate substantial new demand for transportation facilities or services? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes:</p> <p>i. When is the peak traffic expected (Check all that apply): <input type="checkbox"/> Morning <input type="checkbox"/> Evening <input type="checkbox"/> Weekend <input type="checkbox"/> Randomly between hours of _____ to _____</p> <p>ii. For commercial activities only, projected number of truck trips/day and type (e.g., semi trailers and dump trucks): _____</p> <p>iii. Parking spaces: Existing _____ Proposed _____ Net increase/decrease _____</p> <p>iv. Does the proposed action include any shared use parking? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>v. If the proposed action includes any modification of existing roads, creation of new roads or change in existing access, describe: _____</p> <p>vi. Are public/private transportation service(s) or facilities available within ½ mile of the proposed site? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>vii. Will the proposed action include access to public transportation or accommodations for use of hybrid, electric or other alternative fueled vehicles? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>viii. Will the proposed action include plans for pedestrian or bicycle accommodations for connections to existing pedestrian or bicycle routes? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> | | | |
| <p>k. Will the proposed action (for commercial or industrial projects only) generate new or additional demand for energy? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes:</p> <p>i. Estimate annual electricity demand during operation of the proposed action: _____</p> <p>ii. Anticipated sources/suppliers of electricity for the project (e.g., on-site combustion, on-site renewable, via grid/local utility, or other): _____</p> <p>iii. Will the proposed action require a new, or an upgrade, to an existing substation? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> | | | |
| <p>l. Hours of operation. Answer all items which apply.</p> <table style="width: 100%;"> <tr> <td style="width: 50%; vertical-align: top;"> <p>i. During Construction:</p> <ul style="list-style-type: none"> • Monday - Friday: _____ • Saturday: _____ • Sunday: _____ • Holidays: _____ </td> <td style="width: 50%; vertical-align: top;"> <p>ii. During Operations:</p> <ul style="list-style-type: none"> • Monday - Friday: _____ • Saturday: _____ • Sunday: _____ • Holidays: _____ </td> </tr> </table> | | <p>i. During Construction:</p> <ul style="list-style-type: none"> • Monday - Friday: _____ • Saturday: _____ • Sunday: _____ • Holidays: _____ | <p>ii. During Operations:</p> <ul style="list-style-type: none"> • Monday - Friday: _____ • Saturday: _____ • Sunday: _____ • Holidays: _____ |
| <p>i. During Construction:</p> <ul style="list-style-type: none"> • Monday - Friday: _____ • Saturday: _____ • Sunday: _____ • Holidays: _____ | <p>ii. During Operations:</p> <ul style="list-style-type: none"> • Monday - Friday: _____ • Saturday: _____ • Sunday: _____ • Holidays: _____ | | |

| | | |
|---|--|----|
| <p>m. Will the proposed action produce noise that will exceed existing ambient noise levels during construction, operation, or both?</p> <p>If yes:</p> <p>i. Provide details including sources, time of day and duration:</p> <p>_____</p> | <input type="checkbox"/> Yes <input type="checkbox"/> No | 38 |
| <p>ii. Will the proposed action remove existing natural barriers that could act as a noise barrier or screen?</p> <p>Describe: _____</p> | <input type="checkbox"/> Yes <input type="checkbox"/> No | |
| <p>n. Will the proposed action have outdoor lighting?</p> <p>If yes:</p> <p>i. Describe source(s), location(s), height of fixture(s), direction/aim, and proximity to nearest occupied structures:</p> <p>_____</p> | <input type="checkbox"/> Yes <input type="checkbox"/> No | |
| <p>ii. Will proposed action remove existing natural barriers that could act as a light barrier or screen?</p> <p>Describe: _____</p> | <input type="checkbox"/> Yes <input type="checkbox"/> No | |
| <p>o. Does the proposed action have the potential to produce odors for more than one hour per day?</p> <p>If Yes, describe possible sources, potential frequency and duration of odor emissions, and proximity to nearest occupied structures:</p> <p>_____</p> | <input type="checkbox"/> Yes <input type="checkbox"/> No | |
| <p>p. Will the proposed action include any bulk storage of petroleum (combined capacity of over 1,100 gallons) or chemical products 185 gallons in above ground storage or any amount in underground storage?</p> <p>If Yes:</p> <p>i. Product(s) to be stored _____</p> <p>ii. Volume(s) _____ per unit time _____ (e.g., month, year)</p> <p>iii. Generally, describe the proposed storage facilities: _____</p> | <input type="checkbox"/> Yes <input type="checkbox"/> No | |
| <p>q. Will the proposed action (commercial, industrial and recreational projects only) use pesticides (i.e., herbicides, insecticides) during construction or operation?</p> <p>If Yes:</p> <p>i. Describe proposed treatment(s):</p> <p>_____</p> | <input type="checkbox"/> Yes <input type="checkbox"/> No | |
| <p>ii. Will the proposed action use Integrated Pest Management Practices?</p> | <input type="checkbox"/> Yes <input type="checkbox"/> No | |
| <p>r. Will the proposed action (commercial or industrial projects only) involve or require the management or disposal of solid waste (excluding hazardous materials)?</p> <p>If Yes:</p> <p>i. Describe any solid waste(s) to be generated during construction or operation of the facility:</p> <ul style="list-style-type: none"> • Construction: _____ tons per _____ (unit of time) • Operation : _____ tons per _____ (unit of time) <p>ii. Describe any proposals for on-site minimization, recycling or reuse of materials to avoid disposal as solid waste:</p> <ul style="list-style-type: none"> • Construction: _____ • Operation: _____ <p>iii. Proposed disposal methods/facilities for solid waste generated on-site:</p> <ul style="list-style-type: none"> • Construction: _____ • Operation: _____ | <input type="checkbox"/> Yes <input type="checkbox"/> No | |

s. Does the proposed action include construction or modification of a solid waste management facility? ☐ Yes ☐ No 39

If Yes:

- i. Type of management or handling of waste proposed for the site (e.g., recycling or transfer station, composting, landfill, or other disposal activities): _____
- ii. Anticipated rate of disposal/processing:
 - _____ Tons/month, if transfer or other non-combustion/thermal treatment, or
 - _____ Tons/hour, if combustion or thermal treatment
- iii. If landfill, anticipated site life: _____ years

t. Will the proposed action at the site involve the commercial generation, treatment, storage, or disposal of hazardous waste? ☐ Yes ☐ No

If Yes:

- i. Name(s) of all hazardous wastes or constituents to be generated, handled or managed at facility: _____
- ii. Generally describe processes or activities involving hazardous wastes or constituents: _____
- iii. Specify amount to be handled or generated _____ tons/month
- iv. Describe any proposals for on-site minimization, recycling or reuse of hazardous constituents: _____
- v. Will any hazardous wastes be disposed at an existing offsite hazardous waste facility? ☐ Yes ☐ No

If Yes: provide name and location of facility: _____

If No: describe proposed management of any hazardous wastes which will not be sent to a hazardous waste facility: _____

E. Site and Setting of Proposed Action

E.1. Land uses on and surrounding the project site

a. Existing land uses.

i. Check all uses that occur on, adjoining and near the project site.

- ☐ Urban ☐ Industrial ☐ Commercial ☐ Residential (suburban) ☐ Rural (non-farm)
☐ Forest ☐ Agriculture ☐ Aquatic ☐ Other (specify): _____

ii. If mix of uses, generally describe: _____

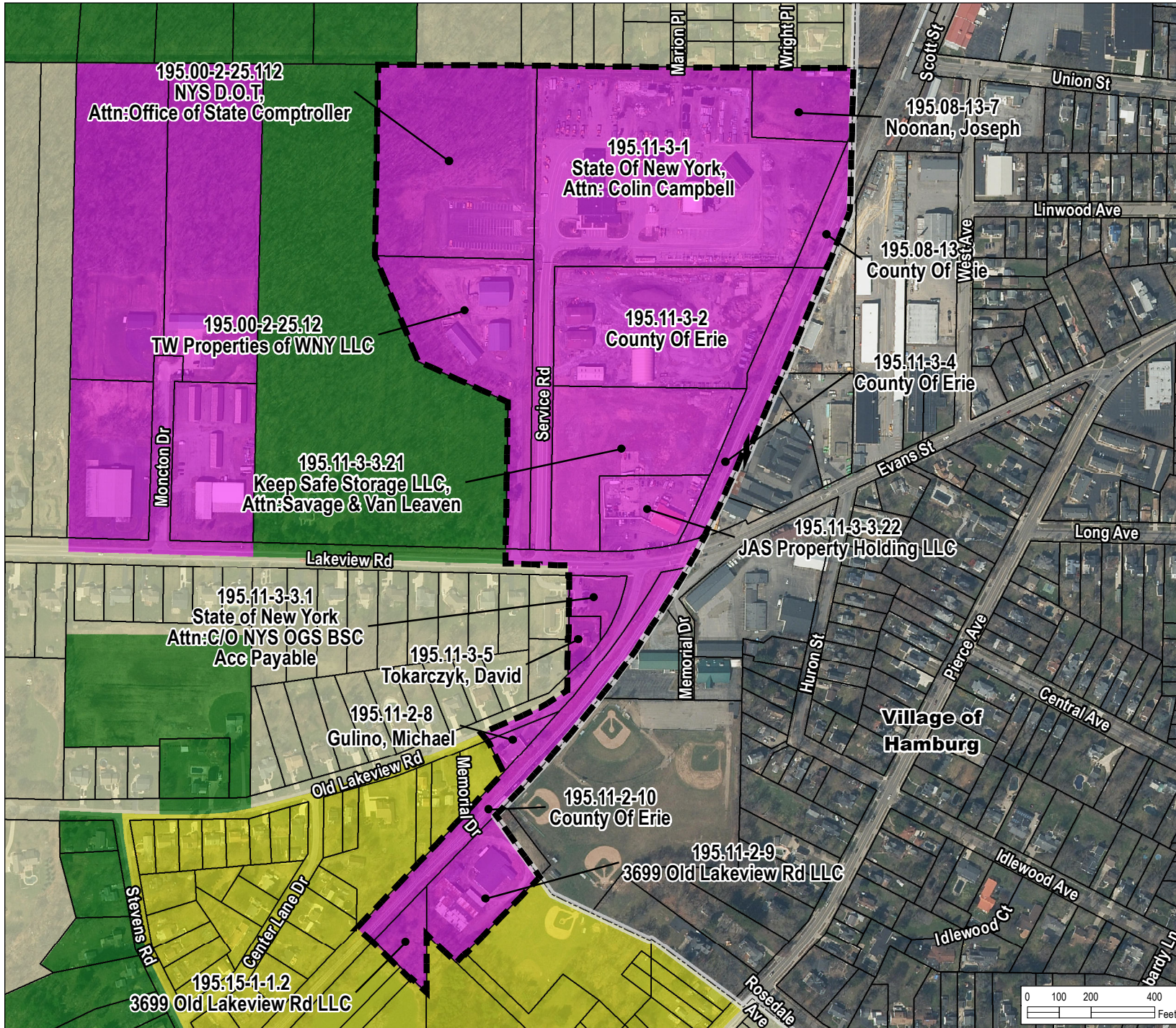
b. Land uses and covertypes on the project site.

| Land use or Covertype | Current Acreage | Acreage After Project Completion | Change (Acres +/-) |
|--|--------------------|-------------------------------------|-----------------------|
| • Roads, buildings, and other paved or impervious surfaces | | | |
| • Forested | | | |
| • Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural) | | | |
| • Agricultural (includes active orchards, field, greenhouse etc.) | | | |
| • Surface water features (lakes, ponds, streams, rivers, etc.) | | | |
| • Wetlands (freshwater or tidal) | | | |
| • Non-vegetated (bare rock, earth or fill) | | | |
| • Other Describe: _____ | | | |

| | |
|--|----|
| <p>c. Is the project site presently used by members of the community for public recreation? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>i. If Yes: explain: _____</p> | 40 |
| <p>d. Are there any facilities serving children, the elderly, people with disabilities (e.g., schools, hospitals, licensed day care centers, or group homes) within 1500 feet of the project site? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes,</p> <p>i. Identify Facilities: _____</p> | |
| <p>e. Does the project site contain an existing dam? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes:</p> <p>i. Dimensions of the dam and impoundment:</p> <ul style="list-style-type: none"> • Dam height: _____ feet • Dam length: _____ feet • Surface area: _____ acres • Volume impounded: _____ gallons OR acre-feet <p>ii. Dam's existing hazard classification: _____</p> <p>iii. Provide date and summarize results of last inspection: _____</p> | |
| <p>f. Has the project site ever been used as a municipal, commercial or industrial solid waste management facility, or does the project site adjoin property which is now, or was at one time, used as a solid waste management facility? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes:</p> <p>i. Has the facility been formally closed? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <ul style="list-style-type: none"> • If yes, cite sources/documentation: _____ <p>ii. Describe the location of the project site relative to the boundaries of the solid waste management facility: _____</p> <p>iii. Describe any development constraints due to the prior solid waste activities: _____</p> | |
| <p>g. Have hazardous wastes been generated, treated and/or disposed of at the site, or does the project site adjoin property which is now or was at one time used to commercially treat, store and/or dispose of hazardous waste? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes:</p> <p>i. Describe waste(s) handled and waste management activities, including approximate time when activities occurred: _____</p> | |
| <p>h. Potential contamination history. Has there been a reported spill at the proposed project site, or have any remedial actions been conducted at or adjacent to the proposed site? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes:</p> <p>i. Is any portion of the site listed on the NYSDEC Spills Incidents database or Environmental Site Remediation database? Check all that apply: <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <p><input type="checkbox"/> Yes – Spills Incidents database</p> <p><input type="checkbox"/> Yes – Environmental Site Remediation database</p> <p><input type="checkbox"/> Neither database</p> </div> <div style="width: 45%;"> <p>Provide DEC ID number(s): _____</p> <p>Provide DEC ID number(s): _____</p> </div> </div> <p>ii. If site has been subject of RCRA corrective activities, describe control measures: _____</p> <p>iii. Is the project within 2000 feet of any site in the NYSDEC Environmental Site Remediation database? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If yes, provide DEC ID number(s): _____</p> <p>iv. If yes to (i), (ii) or (iii) above, describe current status of site(s): _____</p> | |

| | |
|---|-----------------------------------|
| v. Is the project site subject to an institutional control limiting property uses? <input type="checkbox"/> Yes <input type="checkbox"/> No | |
| • If yes, DEC site ID number: _____ | |
| • Describe the type of institutional control (e.g., deed restriction or easement): _____ | |
| • Describe any use limitations: _____ | |
| • Describe any engineering controls: _____ | |
| • Will the project affect the institutional or engineering controls in place? <input type="checkbox"/> Yes <input type="checkbox"/> No | |
| • Explain: _____ _____ _____ | |
| E.2. Natural Resources On or Near Project Site | |
| a. What is the average depth to bedrock on the project site? _____ feet | |
| b. Are there bedrock outcroppings on the project site? <input type="checkbox"/> Yes <input type="checkbox"/> No If Yes, what proportion of the site is comprised of bedrock outcroppings? _____ % | |
| c. Predominant soil type(s) present on project site: _____ % _____ % _____ % | |
| d. What is the average depth to the water table on the project site? Average: _____ feet | |
| e. Drainage status of project site soils: <input type="checkbox"/> Well Drained: _____ % of site <input type="checkbox"/> Moderately Well Drained: _____ % of site <input type="checkbox"/> Poorly Drained: _____ % of site | |
| f. Approximate proportion of proposed action site with slopes: <input type="checkbox"/> 0-10%: _____ % of site <input type="checkbox"/> 10-15%: _____ % of site <input type="checkbox"/> 15% or greater: _____ % of site | |
| g. Are there any unique geologic features on the project site? <input type="checkbox"/> Yes <input type="checkbox"/> No If Yes, describe: _____ _____ | |
| h. Surface water features. | |
| i. Does any portion of the project site contain wetlands or other waterbodies (including streams, rivers, ponds or lakes)? <input type="checkbox"/> Yes <input type="checkbox"/> No | |
| ii. Do any wetlands or other waterbodies adjoin the project site? <input type="checkbox"/> Yes <input type="checkbox"/> No | |
| If Yes to either i or ii, continue. If No, skip to E.2.i. | |
| iii. Are any of the wetlands or waterbodies within or adjoining the project site regulated by any federal, state or local agency? <input type="checkbox"/> Yes <input type="checkbox"/> No | |
| iv. For each identified regulated wetland and waterbody on the project site, provide the following information: | |
| • Streams: | Name _____ Classification _____ |
| • Lakes or Ponds: | Name _____ Classification _____ |
| • Wetlands: | Name _____ Approximate Size _____ |
| • Wetland No. (if regulated by DEC) _____ | |
| v. Are any of the above water bodies listed in the most recent compilation of NYS water quality-impaired waterbodies? <input type="checkbox"/> Yes <input type="checkbox"/> No | |
| If yes, name of impaired water body/bodies and basis for listing as impaired: _____ _____ | |
| i. Is the project site in a designated Floodway? <input type="checkbox"/> Yes <input type="checkbox"/> No | |
| j. Is the project site in the 100-year Floodplain? <input type="checkbox"/> Yes <input type="checkbox"/> No | |
| k. Is the project site in the 500-year Floodplain? <input type="checkbox"/> Yes <input type="checkbox"/> No | |
| l. Is the project site located over, or immediately adjoining, a primary, principal or sole source aquifer? <input type="checkbox"/> Yes <input type="checkbox"/> No | |
| If Yes: | |
| i. Name of aquifer: _____ | |

| | |
|--|----|
| <p>m. Identify the predominant wildlife species that occupy or use the project site: _____</p> <p>_____</p> <p>_____</p> | 42 |
| <p>n. Does the project site contain a designated significant natural community? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes:</p> <p style="margin-left: 20px;">i. Describe the habitat/community (composition, function, and basis for designation): _____</p> <p style="margin-left: 20px;">ii. Source(s) of description or evaluation: _____</p> <p style="margin-left: 20px;">iii. Extent of community/habitat:</p> <ul style="list-style-type: none"> • Currently: _____ acres • Following completion of project as proposed: _____ acres • Gain or loss (indicate + or -): _____ acres | |
| <p>o. Does project site contain any species of plant or animal that is listed by the federal government or NYS as endangered or threatened, or does it contain any areas identified as habitat for an endangered or threatened species? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes:</p> <p style="margin-left: 20px;">i. Species and listing (endangered or threatened): _____</p> <p>_____</p> <p>_____</p> | |
| <p>p. Does the project site contain any species of plant or animal that is listed by NYS as rare, or as a species of special concern? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes:</p> <p style="margin-left: 20px;">i. Species and listing: _____</p> <p>_____</p> <p>_____</p> | |
| <p>q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If yes, give a brief description of how the proposed action may affect that use: _____</p> <p>_____</p> <p>_____</p> | |
| <p>E.3. Designated Public Resources On or Near Project Site</p> | |
| <p>a. Is the project site, or any portion of it, located in a designated agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes, provide county plus district name/number: _____</p> | |
| <p>b. Are agricultural lands consisting of highly productive soils present? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p style="margin-left: 20px;">i. If Yes: acreage(s) on project site? _____</p> <p style="margin-left: 20px;">ii. Source(s) of soil rating(s): _____</p> | |
| <p>c. Does the project site contain all or part of, or is it substantially contiguous to, a registered National Natural Landmark? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes:</p> <p style="margin-left: 20px;">i. Nature of the natural landmark: <input type="checkbox"/> Biological Community <input type="checkbox"/> Geological Feature</p> <p style="margin-left: 20px;">ii. Provide brief description of landmark, including values behind designation and approximate size/extent: _____</p> <p>_____</p> <p>_____</p> | |
| <p>d. Is the project site located in or does it adjoin a state listed Critical Environmental Area? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes:</p> <p style="margin-left: 20px;">i. CEA name: _____</p> <p style="margin-left: 20px;">ii. Basis for designation: _____</p> <p style="margin-left: 20px;">iii. Designating agency and date: _____</p> | |



Town of Hamburg







Erie County, New York

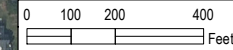
Proposed Industrial Zoned Properties Changes

Lakeview Rd and
Memorial Dr Area



LEGEND

-  Parcels (2022)
-  Area in Question
- Town of Hamburg Zoning
as of 6/28/2022**
-  M2
-  R1
-  R2
-  RA



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Town Board of the Town of Hamburg
March 13, 2023 Meeting

13. Industrial Rezoning Resolution - Lakeview Railroad

WHEREAS, this resolution introduces a proposed amendment to the Zoning Map of the Town of Hamburg to rezone parcels on the east side of the railroad near Lakeview Road with the following SBL numbers from M-2 Light Industrial to R-A Residential Agricultural: 193.00-4-7, 193.00-4-6, 193.00-4-3.11, and 193.00-4-2; and

WHEREAS, the proposed zoning map amendment is proposed in the form of a Local Law pursuant to the authority granted to the Town of Hamburg (“Town”) Town Board (“Town Board”) and the Town by Articles 2 and 3 of the New York State Municipal Home Rule Law and by Article 2 of the New York State Statute of Local Governments, and the Town Board is authorized and empowered by Chapter 280, Article XLVIII of the Code, and Article 16 of New York Town Law to amend the Zoning Map of the Town to meet the growing and changing needs of the Town; and

WHEREAS, since 2019, the Town has been in the process of updating its Comprehensive Plan, and evaluating potential Zoning Code and Zoning Map amendments throughout the Town, including industrial properties, and evaluating other land use issues throughout the Town; and

WHEREAS, through the process of updating its Comprehensive Plan, the Town has identified areas that it views as improperly zoned in light of changes in the Town and the region since the adoption of the last Comprehensive Plan update in 2008; and

WHEREAS, the Town’s new 2022 Comprehensive Plan (“Plan”) has been adopted and the Town Board has authorized the Town’s Planning Department and the Town’s Planning Consultant to begin the implementation of the Plan; and

WHEREAS, in anticipation of the introduction of the proposed zoning map amendment, the Town’s Planning Consultant has prepared for the Town Board’s review Part 1 of a Full Environmental Assessment Form (“FEAF”), pursuant to SEQRA, of which a copy is attached as Exhibit A to this Resolution; and

WHEREAS, pursuant to New York State Municipal Rule Law § 20, a copy of this Resolution was received by each member of the Town Board prior to this meeting and the Proposed Local Law shall be deemed to be on the desk of each member of the Town Board as of tonight’s Town Board meeting.

NOW THEREFORE, BE IT RESOLVED BY THE TOWN BOARD OF THE TOWN OF HAMBURG AS FOLLOWS:

1. The Town Board has determined that they would like to proceed with the rezoning of these parcels.
2. For the reasons set forth in this Resolution, and pursuant to New York State Municipal Home Rule Law § 20 and Sections 8-15 and 280-338 of the Code, the Town Board hereby introduces Town of Hamburg “Local Law No. x of 2023, A local law to amend the Zoning Map of the Town of Hamburg to rezone parcels on the east side of the railroad near Lakeview Road with the following SBL numbers from M-2 Light Industrial to R-A Residential Agricultural: 193.00-4-7, 193.00-4-6, 193.00-4-3.11, and 193.00-4-2.
3. Pursuant to provisions of SEQRA, the Town Board hereby determines to classify the adoption of the proposed zoning map amendment (the “proposed action” in accordance with SEQRA) as a Type I action in accordance with Article 8 of the New York State Environmental Conservation Law and 6 NYCRR Part

617.4(b)(2).

4. Further, pursuant to SEQRA, the Town Board further determines that it will be the only agency with approval authority over the proposed action. Accordingly, the Town Board hereby declares itself to be the Lead Agency for the conduct of the environmental review of the proposed action under SEQRA.

5. The Town Board hereby accepts the FEAF for the proposed action, which has been prepared by the Town's Planning Consultant, a copy of which is attached as Exhibit A to this Resolution.

6. The Town Board hereby directs that the proposed zoning map amendment be referred to the Erie County Department of Environment and Planning pursuant to Section 239-m of the New York State General Municipal Law.

7. The Town Board hereby directs that the proposed zoning map amendment be referred to the Town Planning Board for its review and for an advisory report pursuant to § 280-340(B) of the Code. The Planning Board shall deliver its response to this referral to the Town Board.

8. The Town Board hereby directs that the proposed zoning map amendment be referred to the Town's Code Review Committee for its review.

9. In accordance with New York State Municipal Home Rule Law § 20(5), the Town Board shall schedule a public hearing on the proposed zoning map amendment at a future meeting of the Town Board at a time and date as yet to be determined, to be held at the Town of Hamburg Town Hall, located at 6100 South Park Avenue, Hamburg, New York 14075. The Town Board directs the Town Clerk to provide notice to the public of the public hearing in accordance with the requirements set forth in the New York State Municipal Home Rule Law, Article 16 of New York Town Law, and § 280-340 of the Code, and directs the Town Clerk to publish of the proposed zoning map amendment in the Town's official newspaper not less than ten (10) calendar days prior to the public hearing.

10. The Town Board also directs the Town Clerk to post a copy of the proposed zoning map amendment on the Town's web site, and to make a paper copy of the proposed Local Laws available for review by the public at the Town Hall, located at 6100 South Park Avenue, Hamburg, New York 14075.

11. The Town Board hereby directs the Town's Planning Consultant to prepare for the Town Board's review at a later date a Part 2 and Part 3 of the SEQRA Environmental Assessment Form for the Town Board's review and consideration.

Moved: R. Hoak

ATTACHMENTS:

| Description | Upload Date | Type |
|---|-------------|-----------------|
| Industrial Rezoning Map - Lakeview Railroad | 3/9/2023 | Backup Material |
| Lakeview RR | 3/9/2023 | Cover Memo |



Town of Hamburg

Erie County, New York

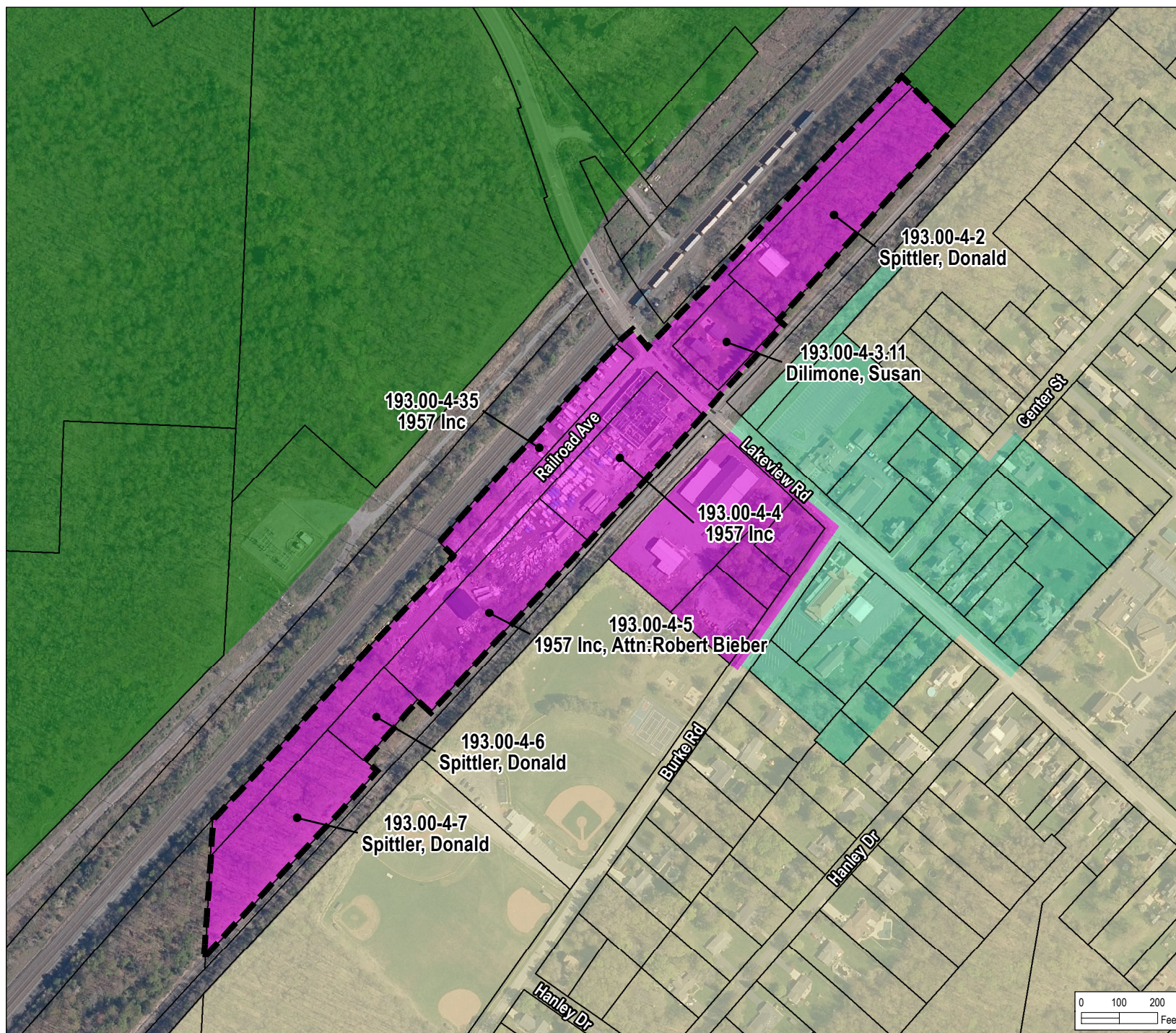
Proposed Industrial Zoned Properties Changes

Railroad Ave and
Lakeview Rd Area



LEGEND

- Parcels (2022)
- Area in Question
- Town of Hamburg Zoning as of 6/28/2022
- M2
- NC
- R1
- RA



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Full Environmental Assessment Form
Part 1 - Project and Setting

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Instructions for Completing Part 1

Part 1 is to be completed by the applicant or project sponsor. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification.

Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information; indicate whether missing information does not exist, or is not reasonably available to the sponsor; and, when possible, generally describe work or studies which would be necessary to update or fully develop that information.

Applicants/sponsors must complete all items in Sections A & B. In Sections C, D & E, most items contain an initial question that must be answered either "Yes" or "No". If the answer to the initial question is "Yes", complete the sub-questions that follow. If the answer to the initial question is "No", proceed to the next question. Section F allows the project sponsor to identify and attach any additional information. Section G requires the name and signature of the applicant or project sponsor to verify that the information contained in Part 1 is accurate and complete.

A. Project and Applicant/Sponsor Information.

| | | |
|---|-----------|------------------------------------|
| Name of Action or Project: Lakeview Railroad Rezoning | | |
| Project Location (describe, and attach a general location map): East side of the railroad near Lakeview Road | | |
| Brief Description of Proposed Action (include purpose or need): Rezone parcels 193.00-4-7, 193.00-4-6, 193.00-4-3.11, and 193.00-4-2 from M-2 (Light Industrial District) to R-A (Residential Agricultural District) | | |
| Name of Applicant/Sponsor: Town of Hamburg | | Telephone: 716-649-6111 E-Mail: |
| Address: 6100 South Park Avenue | | |
| City/PO: Hamburg | State: NY | Zip Code: 14075 |
| Project Contact (if not same as sponsor; give name and title/role): | | Telephone: E-Mail: |
| Address: | | |
| City/PO: | State: | Zip Code: |
| Property Owner (if not same as sponsor): | | Telephone: E-Mail: |
| Address: | | |
| City/PO: | State: | Zip Code: |

B. Government Approvals**B. Government Approvals, Funding, or Sponsorship.** ("Funding" includes grants, loans, tax relief, and any other forms of financial assistance.)

| Government Entity | If Yes: Identify Agency and Approval(s) Required | Application Date (Actual or projected) |
|--|--|---|
| a. City Council, Town Board, <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No or Village Board of Trustees | | |
| b. City, Town or Village <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Planning Board or Commission | | |
| c. City, Town or <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Village Zoning Board of Appeals | | |
| d. Other local agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | | |
| e. County agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | County 239 referral | |
| f. Regional agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | | |
| g. State agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | | |
| h. Federal agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | | |
| i. Coastal Resources. | | |
| i. Is the project site within a Coastal Area, or the waterfront area of a Designated Inland Waterway? | | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| ii. Is the project site located in a community with an approved Local Waterfront Revitalization Program? | | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |
| iii. Is the project site within a Coastal Erosion Hazard Area? | | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |

C. Planning and Zoning**C.1. Planning and zoning actions.**

Will administrative or legislative adoption, or amendment of a plan, local law, ordinance, rule or regulation be the only approval(s) which must be granted to enable the proposed action to proceed? ☒ Yes ☐ No

- If Yes, complete sections C, F and G.
- If No, proceed to question C.2 and complete all remaining sections and questions in Part 1

C.2. Adopted land use plans.

a. Do any municipally- adopted (city, town, village or county) comprehensive land use plan(s) include the site where the proposed action would be located? ☒ Yes ☐ No

If Yes, does the comprehensive plan include specific recommendations for the site where the proposed action would be located? ☒ Yes ☐ No

b. Is the site of the proposed action within any local or regional special planning district (for example: Greenway; Brownfield Opportunity Area (BOA); designated State or Federal heritage area; watershed management plan; or other?) ☒ Yes ☐ No

If Yes, identify the plan(s):

NYS Heritage Area: West Erie Canal Corridor

c. Is the proposed action located wholly or partially within an area listed in an adopted municipal open space plan, or an adopted municipal farmland protection plan? ☒ Yes ☐ No

If Yes, identify the plan(s):

Open Space and Greenspace Plan

C.3. Zoning

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- a. Is the site of the proposed action located in a municipality with an adopted zoning law or ordinance. ☒ Yes ☐ No
If Yes, what is the zoning classification(s) including any applicable overlay district?

- b. Is the use permitted or allowed by a special or conditional use permit? ☐ Yes ☐ No

- c. Is a zoning change requested as part of the proposed action? ☒ Yes ☐ No

If Yes,

- i. What is the proposed new zoning for the site? R-A Residential Agricultural

C.4. Existing community services.

- a. In what school district is the project site located? Frontier CSD

- b. What police or other public protection forces serve the project site?

Hamburg Police and Erie County Sheriff's

- c. Which fire protection and emergency medical services serve the project site?

Lakeview Fire District

- d. What parks serve the project site?

Lakeview Park

D. Project Details**D.1. Proposed and Potential Development**

- a. What is the general nature of the proposed action (e.g., residential, industrial, commercial, recreational; if mixed, include all components)?

- b. a. Total acreage of the site of the proposed action? _____ acres
b. Total acreage to be physically disturbed? _____ acres
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ acres

- c. Is the proposed action an expansion of an existing project or use? ☐ Yes ☐ No

- i. If Yes, what is the approximate percentage of the proposed expansion and identify the units (e.g., acres, miles, housing units, square feet)? % _____ Units: _____

- d. Is the proposed action a subdivision, or does it include a subdivision? ☐ Yes ☐ No

If Yes,

- i. Purpose or type of subdivision? (e.g., residential, industrial, commercial; if mixed, specify types)

- ii. Is a cluster/conservation layout proposed? ☐ Yes ☐ No

- iii. Number of lots proposed? _____

- iv. Minimum and maximum proposed lot sizes? Minimum _____ Maximum _____

- e. Will the proposed action be constructed in multiple phases? ☐ Yes ☐ No

- i. If No, anticipated period of construction: _____ months

- ii. If Yes:

- Total number of phases anticipated _____
- Anticipated commencement date of phase I (including demolition) _____ month _____ year
- Anticipated completion date of final phase _____ month _____ year
- Generally describe connections or relationships among phases, including any contingencies where progress of one phase may determine timing or duration of future phases: _____

| | | | |
|---|---------------------------------------|-------------------|---------------------|
| f. Does the project include new residential uses? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No 51 | | | |
| If Yes, show numbers of units proposed. | | | |
| | <u>One Family</u> | <u>Two Family</u> | <u>Three Family</u> |
| | <u>Multiple Family (four or more)</u> | | |
| Initial Phase | _____ | _____ | _____ |
| At completion | _____ | _____ | _____ |
| of all phases | _____ | _____ | _____ |

| | |
|--|--|
| g. Does the proposed action include new non-residential construction (including expansions)? <input type="checkbox"/> Yes <input type="checkbox"/> No | |
| If Yes, | |
| i. Total number of structures _____ | |
| ii. Dimensions (in feet) of largest proposed structure: _____ height; _____ width; and _____ length | |
| iii. Approximate extent of building space to be heated or cooled: _____ square feet | |

| | |
|--|--|
| h. Does the proposed action include construction or other activities that will result in the impoundment of any liquids, such as creation of a water supply, reservoir, pond, lake, waste lagoon or other storage? <input type="checkbox"/> Yes <input type="checkbox"/> No | |
| If Yes, | |
| i. Purpose of the impoundment: _____ | |
| ii. If a water impoundment, the principal source of the water: <input type="checkbox"/> Ground water <input type="checkbox"/> Surface water streams <input type="checkbox"/> Other specify: _____ | |
| iii. If other than water, identify the type of impounded/contained liquids and their source. _____ | |
| iv. Approximate size of the proposed impoundment. Volume: _____ million gallons; surface area: _____ acres | |
| v. Dimensions of the proposed dam or impounding structure: _____ height; _____ length | |
| vi. Construction method/materials for the proposed dam or impounding structure (e.g., earth fill, rock, wood, concrete): _____ | |

D.2. Project Operations

| | |
|--|--|
| a. Does the proposed action include any excavation, mining, or dredging, during construction, operations, or both? <input type="checkbox"/> Yes <input type="checkbox"/> No | |
| (Not including general site preparation, grading or installation of utilities or foundations where all excavated materials will remain onsite) | |
| If Yes: | |
| i. What is the purpose of the excavation or dredging? _____ | |
| ii. How much material (including rock, earth, sediments, etc.) is proposed to be removed from the site? | |
| <ul style="list-style-type: none"> • Volume (specify tons or cubic yards): _____ • Over what duration of time? _____ | |
| iii. Describe nature and characteristics of materials to be excavated or dredged, and plans to use, manage or dispose of them. _____ | |
| iv. Will there be onsite dewatering or processing of excavated materials? <input type="checkbox"/> Yes <input type="checkbox"/> No | |
| If yes, describe. _____ | |
| v. What is the total area to be dredged or excavated? _____ acres | |
| vi. What is the maximum area to be worked at any one time? _____ acres | |
| vii. What would be the maximum depth of excavation or dredging? _____ feet | |
| viii. Will the excavation require blasting? <input type="checkbox"/> Yes <input type="checkbox"/> No | |
| ix. Summarize site reclamation goals and plan: _____ | |

| | |
|--|--|
| b. Would the proposed action cause or result in alteration of, increase or decrease in size of, or encroachment into any existing wetland, waterbody, shoreline, beach or adjacent area? <input type="checkbox"/> Yes <input type="checkbox"/> No | |
| If Yes: | |
| i. Identify the wetland or waterbody which would be affected (by name, water index number, wetland map number or geographic description): _____ | |

ii. Describe how the proposed action would affect that waterbody or wetland, e.g. excavation, fill, placement of structures, or alteration of channels, banks and shorelines. Indicate extent of activities, alterations and additions in square feet or acres:

iii. Will the proposed action cause or result in disturbance to bottom sediments? ☐ Yes ☐ No

If Yes, describe: _____

iv. Will the proposed action cause or result in the destruction or removal of aquatic vegetation? ☐ Yes ☐ No

If Yes:

- acres of aquatic vegetation proposed to be removed: _____
- expected acreage of aquatic vegetation remaining after project completion: _____
- purpose of proposed removal (e.g. beach clearing, invasive species control, boat access): _____
- proposed method of plant removal: _____
- if chemical/herbicide treatment will be used, specify product(s): _____

v. Describe any proposed reclamation/mitigation following disturbance: _____

c. Will the proposed action use, or create a new demand for water? ☐ Yes ☐ No

If Yes:

i. Total anticipated water usage/demand per day: _____ gallons/day

ii. Will the proposed action obtain water from an existing public water supply? ☐ Yes ☐ No

If Yes:

- Name of district or service area: _____
- Does the existing public water supply have capacity to serve the proposal? ☐ Yes ☐ No
- Is the project site in the existing district? ☐ Yes ☐ No
- Is expansion of the district needed? ☐ Yes ☐ No
- Do existing lines serve the project site? ☐ Yes ☐ No

iii. Will line extension within an existing district be necessary to supply the project? ☐ Yes ☐ No

If Yes:

- Describe extensions or capacity expansions proposed to serve this project: _____
- Source(s) of supply for the district: _____

iv. Is a new water supply district or service area proposed to be formed to serve the project site? ☐ Yes ☐ No

If Yes:

- Applicant/sponsor for new district: _____
- Date application submitted or anticipated: _____
- Proposed source(s) of supply for new district: _____

v. If a public water supply will not be used, describe plans to provide water supply for the project: _____

vi. If water supply will be from wells (public or private), what is the maximum pumping capacity: _____ gallons/minute.

d. Will the proposed action generate liquid wastes? ☐ Yes ☐ No

If Yes:

i. Total anticipated liquid waste generation per day: _____ gallons/day

ii. Nature of liquid wastes to be generated (e.g., sanitary wastewater, industrial; if combination, describe all components and approximate volumes or proportions of each): _____

iii. Will the proposed action use any existing public wastewater treatment facilities? ☐ Yes ☐ No

If Yes:

- Name of wastewater treatment plant to be used: _____
- Name of district: _____
- Does the existing wastewater treatment plant have capacity to serve the project? ☐ Yes ☐ No
- Is the project site in the existing district? ☐ Yes ☐ No
- Is expansion of the district needed? ☐ Yes ☐ No

- Do existing sewer lines serve the project site?
- Will a line extension within an existing district be necessary to serve the project?

☐ Yes ☐ No
☐ Yes ☐ No

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If Yes:

- Describe extensions or capacity expansions proposed to serve this project: _____

iv. Will a new wastewater (sewage) treatment district be formed to serve the project site?

☐ Yes ☐ No

If Yes:

- Applicant/sponsor for new district: _____
- Date application submitted or anticipated: _____
- What is the receiving water for the wastewater discharge? _____

v. If public facilities will not be used, describe plans to provide wastewater treatment for the project, including specifying proposed receiving water (name and classification if surface discharge or describe subsurface disposal plans):

vi. Describe any plans or designs to capture, recycle or reuse liquid waste: _____

e. Will the proposed action disturb more than one acre and create stormwater runoff, either from new point sources (i.e. ditches, pipes, swales, curbs, gutters or other concentrated flows of stormwater) or non-point source (i.e. sheet flow) during construction or post construction?

☐ Yes ☐ No

If Yes:

i. How much impervious surface will the project create in relation to total size of project parcel?

_____ Square feet or _____ acres (impervious surface)

_____ Square feet or _____ acres (parcel size)

ii. Describe types of new point sources: _____

iii. Where will the stormwater runoff be directed (i.e. on-site stormwater management facility/structures, adjacent properties, groundwater, on-site surface water or off-site surface waters)?

- If to surface waters, identify receiving water bodies or wetlands: _____

- Will stormwater runoff flow to adjacent properties?

☐ Yes ☐ No

iv. Does the proposed plan minimize impervious surfaces, use pervious materials or collect and re-use stormwater?

☐ Yes ☐ No

f. Does the proposed action include, or will it use on-site, one or more sources of air emissions, including fuel combustion, waste incineration, or other processes or operations?

☐ Yes ☐ No

If Yes, identify:

i. Mobile sources during project operations (e.g., heavy equipment, fleet or delivery vehicles)

ii. Stationary sources during construction (e.g., power generation, structural heating, batch plant, crushers)

iii. Stationary sources during operations (e.g., process emissions, large boilers, electric generation)

g. Will any air emission sources named in D.2.f (above), require a NY State Air Registration, Air Facility Permit, or Federal Clean Air Act Title IV or Title V Permit?

☐ Yes ☐ No

If Yes:

i. Is the project site located in an Air quality non-attainment area? (Area routinely or periodically fails to meet ambient air quality standards for all or some parts of the year)

☐ Yes ☐ No

ii. In addition to emissions as calculated in the application, the project will generate:

- _____ Tons/year (short tons) of Carbon Dioxide (CO₂)
- _____ Tons/year (short tons) of Nitrous Oxide (N₂O)
- _____ Tons/year (short tons) of Perfluorocarbons (PFCs)
- _____ Tons/year (short tons) of Sulfur Hexafluoride (SF₆)
- _____ Tons/year (short tons) of Carbon Dioxide equivalent of Hydrofluorocarbons (HFCs)
- _____ Tons/year (short tons) of Hazardous Air Pollutants (HAPs)

h. Will the proposed action generate or emit methane (including, but not limited to, sewage treatment plants, landfills, composting facilities)? ☐ Yes ☐ No 54

If Yes:

- i. Estimate methane generation in tons/year (metric): _____
- ii. Describe any methane capture, control or elimination measures included in project design (e.g., combustion to generate heat or electricity, flaring): _____

i. Will the proposed action result in the release of air pollutants from open-air operations or processes, such as quarry or landfill operations? ☐ Yes ☐ No

If Yes: Describe operations and nature of emissions (e.g., diesel exhaust, rock particulates/dust): _____

j. Will the proposed action result in a substantial increase in traffic above present levels or generate substantial new demand for transportation facilities or services? ☐ Yes ☐ No

If Yes:

- i. When is the peak traffic expected (Check all that apply): ☐ Morning ☐ Evening ☐ Weekend
☐ Randomly between hours of _____ to _____.
- ii. For commercial activities only, projected number of truck trips/day and type (e.g., semi trailers and dump trucks): _____

iii. Parking spaces: Existing _____ Proposed _____ Net increase/decrease _____

iv. Does the proposed action include any shared use parking? ☐ Yes ☐ No

v. If the proposed action includes any modification of existing roads, creation of new roads or change in existing access, describe: _____

vi. Are public/private transportation service(s) or facilities available within ½ mile of the proposed site? ☐ Yes ☐ No

vii. Will the proposed action include access to public transportation or accommodations for use of hybrid, electric or other alternative fueled vehicles? ☐ Yes ☐ No

viii. Will the proposed action include plans for pedestrian or bicycle accommodations for connections to existing pedestrian or bicycle routes? ☐ Yes ☐ No

k. Will the proposed action (for commercial or industrial projects only) generate new or additional demand for energy? ☐ Yes ☐ No

If Yes:

i. Estimate annual electricity demand during operation of the proposed action: _____

ii. Anticipated sources/suppliers of electricity for the project (e.g., on-site combustion, on-site renewable, via grid/local utility, or other): _____

iii. Will the proposed action require a new, or an upgrade, to an existing substation? ☐ Yes ☐ No

l. Hours of operation. Answer all items which apply.

i. During Construction:

- Monday - Friday: _____
- Saturday: _____
- Sunday: _____
- Holidays: _____

ii. During Operations:

- Monday - Friday: _____
- Saturday: _____
- Sunday: _____
- Holidays: _____

| | |
|---|----|
| <p>m. Will the proposed action produce noise that will exceed existing ambient noise levels during construction, operation, or both? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If yes:</p> <p>i. Provide details including sources, time of day and duration:</p> <p>_____</p> | 55 |
| <p>ii. Will the proposed action remove existing natural barriers that could act as a noise barrier or screen? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Describe: _____</p> | |
| <p>n. Will the proposed action have outdoor lighting? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If yes:</p> <p>i. Describe source(s), location(s), height of fixture(s), direction/aim, and proximity to nearest occupied structures:</p> <p>_____</p> | |
| <p>ii. Will proposed action remove existing natural barriers that could act as a light barrier or screen? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Describe: _____</p> | |
| <p>o. Does the proposed action have the potential to produce odors for more than one hour per day? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes, describe possible sources, potential frequency and duration of odor emissions, and proximity to nearest occupied structures:</p> <p>_____</p> <p>_____</p> | |
| <p>p. Will the proposed action include any bulk storage of petroleum (combined capacity of over 1,100 gallons) or chemical products 185 gallons in above ground storage or any amount in underground storage? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes:</p> <p>i. Product(s) to be stored _____</p> <p>ii. Volume(s) _____ per unit time _____ (e.g., month, year)</p> <p>iii. Generally, describe the proposed storage facilities: _____</p> | |
| <p>q. Will the proposed action (commercial, industrial and recreational projects only) use pesticides (i.e., herbicides, insecticides) during construction or operation? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes:</p> <p>i. Describe proposed treatment(s):</p> <p>_____</p> <p>_____</p> | |
| <p>ii. Will the proposed action use Integrated Pest Management Practices? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> | |
| <p>r. Will the proposed action (commercial or industrial projects only) involve or require the management or disposal of solid waste (excluding hazardous materials)? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes:</p> <p>i. Describe any solid waste(s) to be generated during construction or operation of the facility:</p> <ul style="list-style-type: none"> • Construction: _____ tons per _____ (unit of time) • Operation : _____ tons per _____ (unit of time) <p>ii. Describe any proposals for on-site minimization, recycling or reuse of materials to avoid disposal as solid waste:</p> <ul style="list-style-type: none"> • Construction: _____ • Operation: _____ <p>iii. Proposed disposal methods/facilities for solid waste generated on-site:</p> <ul style="list-style-type: none"> • Construction: _____ • Operation: _____ | |

s. Does the proposed action include construction or modification of a solid waste management facility? ☐ Yes ☐ No 56

If Yes:

i. Type of management or handling of waste proposed for the site (e.g., recycling or transfer station, composting, landfill, or other disposal activities): _____

ii. Anticipated rate of disposal/processing:

- _____ Tons/month, if transfer or other non-combustion/thermal treatment, or
- _____ Tons/hour, if combustion or thermal treatment

iii. If landfill, anticipated site life: _____ years

t. Will the proposed action at the site involve the commercial generation, treatment, storage, or disposal of hazardous waste? ☐ Yes ☐ No

If Yes:

i. Name(s) of all hazardous wastes or constituents to be generated, handled or managed at facility: _____

ii. Generally describe processes or activities involving hazardous wastes or constituents: _____

iii. Specify amount to be handled or generated _____ tons/month

iv. Describe any proposals for on-site minimization, recycling or reuse of hazardous constituents: _____

v. Will any hazardous wastes be disposed at an existing offsite hazardous waste facility? ☐ Yes ☐ No

If Yes: provide name and location of facility: _____

If No: describe proposed management of any hazardous wastes which will not be sent to a hazardous waste facility: _____

E. Site and Setting of Proposed Action

E.1. Land uses on and surrounding the project site

a. Existing land uses.

i. Check all uses that occur on, adjoining and near the project site.

☐ Urban ☐ Industrial ☐ Commercial ☐ Residential (suburban) ☐ Rural (non-farm)

☐ Forest ☐ Agriculture ☐ Aquatic ☐ Other (specify): _____

ii. If mix of uses, generally describe: _____

b. Land uses and covertypes on the project site.

| Land use or Covertypes | Current Acreage | Acreage After Project Completion | Change (Acres +/-) |
|--|-----------------|----------------------------------|--------------------|
| • Roads, buildings, and other paved or impervious surfaces | | | |
| • Forested | | | |
| • Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural) | | | |
| • Agricultural (includes active orchards, field, greenhouse etc.) | | | |
| • Surface water features (lakes, ponds, streams, rivers, etc.) | | | |
| • Wetlands (freshwater or tidal) | | | |
| • Non-vegetated (bare rock, earth or fill) | | | |
| • Other Describe: _____ | | | |

| | | |
|--|--|----|
| <p>c. Is the project site presently used by members of the community for public recreation? <i>i. If Yes: explain:</i> _____</p> | <input type="checkbox"/> Yes <input type="checkbox"/> No | 57 |
| <p>d. Are there any facilities serving children, the elderly, people with disabilities (e.g., schools, hospitals, licensed day care centers, or group homes) within 1500 feet of the project site? If Yes, <i>i. Identify Facilities:</i> _____ _____</p> | <input type="checkbox"/> Yes <input type="checkbox"/> No | |
| <p>e. Does the project site contain an existing dam? If Yes: <i>i. Dimensions of the dam and impoundment:</i> • Dam height: _____ feet • Dam length: _____ feet • Surface area: _____ acres • Volume impounded: _____ gallons OR acre-feet <i>ii. Dam's existing hazard classification:</i> _____ <i>iii. Provide date and summarize results of last inspection:</i> _____ _____</p> | <input type="checkbox"/> Yes <input type="checkbox"/> No | |
| <p>f. Has the project site ever been used as a municipal, commercial or industrial solid waste management facility, or does the project site adjoin property which is now, or was at one time, used as a solid waste management facility? If Yes: <i>i. Has the facility been formally closed?</i> • If yes, cite sources/documentation: _____ <i>ii. Describe the location of the project site relative to the boundaries of the solid waste management facility:</i> _____ _____ <i>iii. Describe any development constraints due to the prior solid waste activities:</i> _____ _____</p> | <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> No | |
| <p>g. Have hazardous wastes been generated, treated and/or disposed of at the site, or does the project site adjoin property which is now or was at one time used to commercially treat, store and/or dispose of hazardous waste? If Yes: <i>i. Describe waste(s) handled and waste management activities, including approximate time when activities occurred:</i> _____ _____</p> | <input type="checkbox"/> Yes <input type="checkbox"/> No | |
| <p>h. Potential contamination history. Has there been a reported spill at the proposed project site, or have any remedial actions been conducted at or adjacent to the proposed site? If Yes: <i>i. Is any portion of the site listed on the NYSDEC Spills Incidents database or Environmental Site Remediation database? Check all that apply:</i> <input type="checkbox"/> Yes – Spills Incidents database Provide DEC ID number(s): _____ <input type="checkbox"/> Yes – Environmental Site Remediation database Provide DEC ID number(s): _____ <input type="checkbox"/> Neither database <i>ii. If site has been subject of RCRA corrective activities, describe control measures:</i> _____ _____ <i>iii. Is the project within 2000 feet of any site in the NYSDEC Environmental Site Remediation database?</i> If yes, provide DEC ID number(s): _____ <i>iv. If yes to (i), (ii) or (iii) above, describe current status of site(s):</i> _____ _____</p> | <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> No | |

| | |
|---|---|
| v. Is the project site subject to an institutional control limiting property uses? <input type="checkbox"/> Yes <input type="checkbox"/> No | |
| <ul style="list-style-type: none"> • If yes, DEC site ID number: _____ • Describe the type of institutional control (e.g., deed restriction or easement): _____ • Describe any use limitations: _____ • Describe any engineering controls: _____ • Will the project affect the institutional or engineering controls in place? <input type="checkbox"/> Yes <input type="checkbox"/> No • Explain: _____ _____ | |
| E.2. Natural Resources On or Near Project Site | |
| a. What is the average depth to bedrock on the project site? | _____ feet |
| b. Are there bedrock outcroppings on the project site? If Yes, what proportion of the site is comprised of bedrock outcroppings? | <input type="checkbox"/> Yes <input type="checkbox"/> No _____% |
| c. Predominant soil type(s) present on project site: | _____ _____ _____ % _____ _____ % _____ % |
| d. What is the average depth to the water table on the project site? Average: | _____ feet |
| e. Drainage status of project site soils: | <input type="checkbox"/> Well Drained: _____ % of site <input type="checkbox"/> Moderately Well Drained: _____ % of site <input type="checkbox"/> Poorly Drained: _____ % of site |
| f. Approximate proportion of proposed action site with slopes: | <input type="checkbox"/> 0-10%: _____ % of site <input type="checkbox"/> 10-15%: _____ % of site <input type="checkbox"/> 15% or greater: _____ % of site |
| g. Are there any unique geologic features on the project site? If Yes, describe: | <input type="checkbox"/> Yes <input type="checkbox"/> No _____ _____ |
| h. Surface water features. | |
| i. Does any portion of the project site contain wetlands or other waterbodies (including streams, rivers, ponds or lakes)? | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| ii. Do any wetlands or other waterbodies adjoin the project site? | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| If Yes to either i or ii, continue. If No, skip to E.2.i. | |
| iii. Are any of the wetlands or waterbodies within or adjoining the project site regulated by any federal, state or local agency? | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| iv. For each identified regulated wetland and waterbody on the project site, provide the following information: | |
| • Streams: | Name _____ Classification _____ |
| • Lakes or Ponds: | Name _____ Classification _____ |
| • Wetlands: | Name _____ Approximate Size _____ |
| • Wetland No. (if regulated by DEC) | _____ |
| v. Are any of the above water bodies listed in the most recent compilation of NYS water quality-impaired waterbodies? | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| If yes, name of impaired water body/bodies and basis for listing as impaired: _____ | |
| | |
| i. Is the project site in a designated Floodway? | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| j. Is the project site in the 100-year Floodplain? | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| k. Is the project site in the 500-year Floodplain? | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| l. Is the project site located over, or immediately adjoining, a primary, principal or sole source aquifer? | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| If Yes: | |
| i. Name of aquifer: | _____ |

| | |
|--|----|
| <p>m. Identify the predominant wildlife species that occupy or use the project site: _____</p> <p>_____</p> <p>_____</p> | 59 |
| <p>n. Does the project site contain a designated significant natural community? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes:</p> <p>i. Describe the habitat/community (composition, function, and basis for designation): _____</p> <p>_____</p> <p>ii. Source(s) of description or evaluation: _____</p> <p>iii. Extent of community/habitat:</p> <ul style="list-style-type: none"> • Currently: _____ acres • Following completion of project as proposed: _____ acres • Gain or loss (indicate + or -): _____ acres | |
| <p>o. Does project site contain any species of plant or animal that is listed by the federal government or NYS as endangered or threatened, or does it contain any areas identified as habitat for an endangered or threatened species? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes:</p> <p>i. Species and listing (endangered or threatened): _____</p> <p>_____</p> <p>_____</p> | |
| <p>p. Does the project site contain any species of plant or animal that is listed by NYS as rare, or as a species of special concern? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes:</p> <p>i. Species and listing: _____</p> <p>_____</p> <p>_____</p> | |
| <p>q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If yes, give a brief description of how the proposed action may affect that use: _____</p> <p>_____</p> <p>_____</p> | |
| <p>E.3. Designated Public Resources On or Near Project Site</p> | |
| <p>a. Is the project site, or any portion of it, located in a designated agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes, provide county plus district name/number: _____</p> | |
| <p>b. Are agricultural lands consisting of highly productive soils present? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>i. If Yes: acreage(s) on project site? _____</p> <p>ii. Source(s) of soil rating(s): _____</p> | |
| <p>c. Does the project site contain all or part of, or is it substantially contiguous to, a registered National Natural Landmark? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes:</p> <p>i. Nature of the natural landmark: <input type="checkbox"/> Biological Community <input type="checkbox"/> Geological Feature</p> <p>ii. Provide brief description of landmark, including values behind designation and approximate size/extent: _____</p> <p>_____</p> <p>_____</p> | |
| <p>d. Is the project site located in or does it adjoin a state listed Critical Environmental Area? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes:</p> <p>i. CEA name: _____</p> <p>ii. Basis for designation: _____</p> <p>iii. Designating agency and date: _____</p> | |

e. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places? ☐ Yes ☐ No 60

If Yes:

i. Nature of historic/archaeological resource: ☐ Archaeological Site ☐ Historic Building or District

ii. Name: _____

iii. Brief description of attributes on which listing is based: _____

f. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory? ☐ Yes ☐ No

g. Have additional archaeological or historic site(s) or resources been identified on the project site? ☐ Yes ☐ No

If Yes:

i. Describe possible resource(s): _____

ii. Basis for identification: _____

h. Is the project site within five miles of any officially designated and publicly accessible federal, state, or local scenic or aesthetic resource? ☐ Yes ☐ No

If Yes:

i. Identify resource: _____

ii. Nature of, or basis for, designation (e.g., established highway overlook, state or local park, state historic trail or scenic byway, etc.): _____

iii. Distance between project and resource: _____ miles.

i. Is the project site located within a designated river corridor under the Wild, Scenic and Recreational Rivers Program 6 NYCRR 666? ☐ Yes ☐ No

If Yes:

i. Identify the name of the river and its designation: _____

ii. Is the activity consistent with development restrictions contained in 6NYCRR Part 666? ☐ Yes ☐ No

F. Additional Information

Attach any additional information which may be needed to clarify your project.

If you have identified any adverse impacts which could be associated with your proposal, please describe those impacts plus any measures which you propose to avoid or minimize them.

G. Verification

I certify that the information provided is true to the best of my knowledge.

Applicant/Sponsor Name Andrew Reilly, AICP Date 3/8/2023

Signature  Title Director of Planning & Environ. Services, Wendel

Town Board of the Town of Hamburg
March 13, 2023 Meeting

14. Industrial Rezoning Resolution - Old Concrete

WHEREAS, this resolution introduces a proposed amendment to the Zoning Map of the Town of Hamburg to rezone parcels in the area near the intersection of Camp Road and Staley Drive with the following SBL numbers from M-3 General Industrial and M-2 Light Industrial to MU1 Mixed Use 1: 182.16-7-3.1, 182.20-10-7.21, 182.20-10-7.1, 182.20-10-6, 182.20-10-4.1, 182.20-10-3, 182.20-10-2, 182.20-10-5.11, and 180.20-10-1; and

WHEREAS, the proposed zoning map amendment is proposed in the form of a Local Law pursuant to the authority granted to the Town of Hamburg (“Town”) Town Board (“Town Board”) and the Town by Articles 2 and 3 of the New York State Municipal Home Rule Law and by Article 2 of the New York State Statute of Local Governments, and the Town Board is authorized and empowered by Chapter 280, Article XLVIII of the Code, and Article 16 of New York Town Law to amend the Zoning Map of the Town to meet the growing and changing needs of the Town; and

WHEREAS, since 2019, the Town has been in the process of updating its Comprehensive Plan, and evaluating potential Zoning Code and Zoning Map amendments throughout the Town, including industrial properties, and evaluating other land use issues throughout the Town; and

WHEREAS, through the process of updating its Comprehensive Plan, the Town has identified areas that it views as improperly zoned in light of changes in the Town and the region since the adoption of the last Comprehensive Plan update in 2008; and

WHEREAS, the Town’s new 2022 Comprehensive Plan (“Plan”) has been adopted and the Town Board has authorized the Town’s Planning Department and the Town’s Planning Consultant to begin the implementation of the Plan; and

WHEREAS, in anticipation of the introduction of the proposed zoning map amendment, the Town’s Planning Consultant has prepared for the Town Board’s review Part 1 of a Full Environmental Assessment Form (“FEAF”), pursuant to SEQRA, of which a copy is attached as Exhibit A to this Resolution; and

WHEREAS, pursuant to New York State Municipal Rule Law § 20, a copy of this Resolution was received by each member of the Town Board prior to this meeting and the Proposed Local Law shall be deemed to be on the desk of each member of the Town Board as of tonight’s Town Board meeting.

NOW THEREFORE, BE IT RESOLVED BY THE TOWN BOARD OF THE TOWN OF HAMBURG AS FOLLOWS:

1. The Town Board has determined that they would like to proceed with the rezoning of these parcels.
2. For the reasons set forth in this Resolution, and pursuant to New York State Municipal Home Rule Law § 20 and Sections 8-15 and 280-338 of the Code, the Town Board hereby introduces Town of Hamburg “Local Law No. x of 2023, A local law to amend the Zoning Map of the Town of Hamburg to rezone parcels in the area near the intersection of Camp Road and Staley Drive with the following SBL numbers from M-3 General Industrial and M-2 Light Industrial to MU1 Mixed Use 1: 182.16-7-3.1, 182.20-10-7.21, 182.20-10-7.1, 182.20-10-6, 182.20-10-4.1, 182.20-10-3, 182.20-10-2, 182.20-10-5.11, and 180.20-10-1.
3. Pursuant to provisions of SEQRA, the Town Board hereby determines to classify the adoption of the

proposed zoning map amendment (the “proposed action” in accordance with SEQRA) as a Type I action in accordance with Article 8 of the New York State Environmental Conservation Law and 6 NYCRR Part 617.4(b)(2).

4. Further, pursuant to SEQRA, the Town Board further determines that it will be the only agency with approval authority over the proposed action. Accordingly, the Town Board hereby declares itself to be the Lead Agency for the conduct of the environmental review of the proposed action under SEQRA.

5. The Town Board hereby accepts the FEAF for the proposed action, which has been prepared by the Town’s Planning Consultant, a copy of which is attached as Exhibit A to this Resolution.

6. The Town Board hereby directs that the proposed zoning map amendment be referred to the Erie County Department of Environment and Planning pursuant to Section 239-m of the New York State General Municipal Law.

7. The Town Board hereby directs that the proposed zoning map amendment be referred to the Town Planning Board for its review and for an advisory report pursuant to § 280-340(B) of the Code. The Planning Board shall deliver its response to this referral to the Town Board.

8. The Town Board hereby directs that the proposed zoning map amendment be referred to the Town’s Code Review Committee for its review.

9. In accordance with New York State Municipal Home Rule Law § 20(5), the Town Board shall schedule a public hearing on the proposed zoning map amendment at a future meeting of the Town Board at a time and date as yet to be determined, to be held at the Town of Hamburg Town Hall, located at 6100 South Park Avenue, Hamburg, New York 14075. The Town Board directs the Town Clerk to provide notice to the public of the public hearing in accordance with the requirements set forth in the New York State Municipal Home Rule Law, Article 16 of New York Town Law, and § 280-340 of the Code, and directs the Town Clerk to publish of the proposed zoning map amendment in the Town’s official newspaper not less than ten (10) calendar days prior to the public hearing.

10. The Town Board also directs the Town Clerk to post a copy of the proposed zoning map amendment on the Town’s web site, and to make a paper copy of the proposed Local Laws available for review by the public at the Town Hall, located at 6100 South Park Avenue, Hamburg, New York 14075.

11. The Town Board hereby directs the Town’s Planning Consultant to prepare for the Town Board’s review at a later date a Part 2 and Part 3 of the SEQRA Environmental Assessment Form for the Town Board’s review and consideration.

Moved: R. Hoak

ATTACHMENTS:

| Description | Upload Date | Type |
|--|-------------|-----------------|
| Old Concrete | 3/9/2023 | Cover Memo |
| Industrial Rezoning Map - Old Concrete | 3/9/2023 | Backup Material |

Full Environmental Assessment Form
Part 1 - Project and Setting

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Instructions for Completing Part 1

Part 1 is to be completed by the applicant or project sponsor. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification.

Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information; indicate whether missing information does not exist, or is not reasonably available to the sponsor; and, when possible, generally describe work or studies which would be necessary to update or fully develop that information.

Applicants/sponsors must complete all items in Sections A & B. In Sections C, D & E, most items contain an initial question that must be answered either "Yes" or "No". If the answer to the initial question is "Yes", complete the sub-questions that follow. If the answer to the initial question is "No", proceed to the next question. Section F allows the project sponsor to identify and attach any additional information. Section G requires the name and signature of the applicant or project sponsor to verify that the information contained in Part 1 is accurate and complete.

A. Project and Applicant/Sponsor Information.

| | | |
|---|-------------------------|-----------------|
| Name of Action or Project: Old Concrete Site Rezoning | | |
| Project Location (describe, and attach a general location map): Near intersection of Camp Road and Staley Drive | | |
| Brief Description of Proposed Action (include purpose or need): Rezone parcel 182.16-7-3.1 from M-3 (General Industrial District) to MU1 (Mixed Use District 1) Rezone parcels 182.20-10-7.21, 182.20-10-7.1, 182.20-10-6, 182.20-10-4.1, 182.20-10-3, 182.20-10-2, 182.20-10-5.11, and 182.00-10-1 from M-2 (Light Industrial District) to MU1 (Mixed Use District 1). | | |
| Name of Applicant/Sponsor: Town of Hamburg | Telephone: 716-649-6111 | |
| | E-Mail: | |
| Address: 6100 South Park Avenue | | |
| City/PO: Hamburg | State: NY | Zip Code: 14075 |
| Project Contact (if not same as sponsor; give name and title/role): | Telephone: | |
| | E-Mail: | |
| Address: | | |
| City/PO: | State: | Zip Code: |
| Property Owner (if not same as sponsor): | Telephone: | |
| | E-Mail: | |
| Address: | | |
| City/PO: | State: | Zip Code: |

B. Government Approvals

| B. Government Approvals, Funding, or Sponsorship. ("Funding" includes grants, loans, tax relief, and any other forms of financial assistance.) | | |
|---|---|---|
| Government Entity | If Yes: Identify Agency and Approval(s) Required | Application Date (Actual or projected) |
| a. City Council, Town Board, <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No or Village Board of Trustees | | |
| b. City, Town or Village <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Planning Board or Commission | | |
| c. City, Town or <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Village Zoning Board of Appeals | | |
| d. Other local agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | | |
| e. County agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | County 239 referral | |
| f. Regional agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | | |
| g. State agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | | |
| h. Federal agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | | |
| i. Coastal Resources. | | |
| i. Is the project site within a Coastal Area, or the waterfront area of a Designated Inland Waterway? | | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| ii. Is the project site located in a community with an approved Local Waterfront Revitalization Program? | | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |
| iii. Is the project site within a Coastal Erosion Hazard Area? | | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |

C. Planning and Zoning

| C.1. Planning and zoning actions. | |
|---|---|
| Will administrative or legislative adoption, or amendment of a plan, local law, ordinance, rule or regulation be the only approval(s) which must be granted to enable the proposed action to proceed? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | |
| <ul style="list-style-type: none"> • If Yes, complete sections C, F and G. • If No, proceed to question C.2 and complete all remaining sections and questions in Part 1 | |
| C.2. Adopted land use plans. | |
| a. Do any municipally- adopted (city, town, village or county) comprehensive land use plan(s) include the site where the proposed action would be located? | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |
| If Yes, does the comprehensive plan include specific recommendations for the site where the proposed action would be located? | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |
| b. Is the site of the proposed action within any local or regional special planning district (for example: Greenway; Brownfield Opportunity Area (BOA); designated State or Federal heritage area; watershed management plan; or other?) | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |
| If Yes, identify the plan(s): NYS Heritage Area: West Erie Canal Corridor | |
| <hr/> <hr/> <hr/> | |
| c. Is the proposed action located wholly or partially within an area listed in an adopted municipal open space plan, or an adopted municipal farmland protection plan? | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |
| If Yes, identify the plan(s): Open Space and Greenspace Plan | |
| <hr/> <hr/> <hr/> | |

C.3. Zoning

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- a. Is the site of the proposed action located in a municipality with an adopted zoning law or ordinance. ☒ Yes ☐ No
If Yes, what is the zoning classification(s) including any applicable overlay district?

- b. Is the use permitted or allowed by a special or conditional use permit? ☐ Yes ☐ No

- c. Is a zoning change requested as part of the proposed action? ☒ Yes ☐ No
If Yes,

i. What is the proposed new zoning for the site? C-2 General Commercial and MU1 Mixed Use District 1

C.4. Existing community services.

- a. In what school district is the project site located? Hamburg CSD

- b. What police or other public protection forces serve the project site?

Hamburg Police and Erie County Sheriff's

- c. Which fire protection and emergency medical services serve the project site?

Scranton Volunteer Fire Company

- d. What parks serve the project site?

Linhardt Park and Glen Meadows Park

D. Project Details**D.1. Proposed and Potential Development**

- a. What is the general nature of the proposed action (e.g., residential, industrial, commercial, recreational; if mixed, include all components)?

- b. a. Total acreage of the site of the proposed action? _____ acres
b. Total acreage to be physically disturbed? _____ acres
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ acres

- c. Is the proposed action an expansion of an existing project or use? ☐ Yes ☐ No
i. If Yes, what is the approximate percentage of the proposed expansion and identify the units (e.g., acres, miles, housing units, square feet)? % _____ Units: _____

- d. Is the proposed action a subdivision, or does it include a subdivision? ☐ Yes ☐ No
If Yes,

i. Purpose or type of subdivision? (e.g., residential, industrial, commercial; if mixed, specify types)

- ii. Is a cluster/conservation layout proposed? ☐ Yes ☐ No

iii. Number of lots proposed? _____

iv. Minimum and maximum proposed lot sizes? Minimum _____ Maximum _____

- e. Will the proposed action be constructed in multiple phases? ☐ Yes ☐ No

i. If No, anticipated period of construction: _____ months

ii. If Yes:

- Total number of phases anticipated _____
- Anticipated commencement date of phase 1 (including demolition) _____ month _____ year
- Anticipated completion date of final phase _____ month _____ year
- Generally describe connections or relationships among phases, including any contingencies where progress of one phase may determine timing or duration of future phases: _____

| | | | | |
|--|-------------------|-------------------|---------------------|---------------------------------------|
| f. Does the project include new residential uses? <input type="checkbox"/> Yes <input type="checkbox"/> No 66 If Yes, show numbers of units proposed. | | | | |
| | <u>One Family</u> | <u>Two Family</u> | <u>Three Family</u> | <u>Multiple Family (four or more)</u> |
| Initial Phase | _____ | _____ | _____ | _____ |
| At completion | _____ | _____ | _____ | _____ |
| of all phases | _____ | _____ | _____ | _____ |

| | |
|---|--|
| g. Does the proposed action include new non-residential construction (including expansions)? <input type="checkbox"/> Yes <input type="checkbox"/> No If Yes, | |
| i. Total number of structures _____ ii. Dimensions (in feet) of largest proposed structure: _____ height; _____ width; and _____ length iii. Approximate extent of building space to be heated or cooled: _____ square feet | |

| | |
|---|--|
| h. Does the proposed action include construction or other activities that will result in the impoundment of any liquids, such as creation of a water supply, reservoir, pond, lake, waste lagoon or other storage? <input type="checkbox"/> Yes <input type="checkbox"/> No If Yes, | |
| i. Purpose of the impoundment: _____ ii. If a water impoundment, the principal source of the water: <input type="checkbox"/> Ground water <input type="checkbox"/> Surface water streams <input type="checkbox"/> Other specify: _____ iii. If other than water, identify the type of impounded/contained liquids and their source. _____ iv. Approximate size of the proposed impoundment. Volume: _____ million gallons; surface area: _____ acres v. Dimensions of the proposed dam or impounding structure: _____ height; _____ length vi. Construction method/materials for the proposed dam or impounding structure (e.g., earth fill, rock, wood, concrete): _____ | |

D.2. Project Operations

| | |
|---|--|
| a. Does the proposed action include any excavation, mining, or dredging, during construction, operations, or both? (Not including general site preparation, grading or installation of utilities or foundations where all excavated materials will remain onsite) <input type="checkbox"/> Yes <input type="checkbox"/> No If Yes: | |
| i. What is the purpose of the excavation or dredging? _____ ii. How much material (including rock, carth, sediments, etc.) is proposed to be removed from the site? • Volume (specify tons or cubic yards): _____ • Over what duration of time? _____ iii. Describe nature and characteristics of materials to be excavated or dredged, and plans to use, manage or dispose of them. _____ _____ _____ iv. Will there be onsite dewatering or processing of excavated materials? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, describe. _____ _____ _____ v. What is the total area to be dredged or excavated? _____ acres vi. What is the maximum area to be worked at any one time? _____ acres vii. What would be the maximum depth of excavation or dredging? _____ feet viii. Will the excavation require blasting? <input type="checkbox"/> Yes <input type="checkbox"/> No ix. Summarize site reclamation goals and plan: _____ _____ _____ _____ | |

| | |
|---|--|
| b. Would the proposed action cause or result in alteration of, increase or decrease in size of, or encroachment into any existing wetland, waterbody, shoreline, beach or adjacent area? <input type="checkbox"/> Yes <input type="checkbox"/> No If Yes: | |
| i. Identify the wetland or waterbody which would be affected (by name, water index number, wetland map number or geographic description): _____ _____ _____ | |

ii. Describe how the proposed action would affect that waterbody or wetland, e.g. excavation, fill, placement of structures, or alteration of channels, banks and shorelines. Indicate extent of activities, alterations and additions in square feet or acres:

iii. Will the proposed action cause or result in disturbance to bottom sediments? ☐ Yes ☐ No

If Yes, describe: _____

iv. Will the proposed action cause or result in the destruction or removal of aquatic vegetation? ☐ Yes ☐ No

If Yes:

- acres of aquatic vegetation proposed to be removed: _____
- expected acreage of aquatic vegetation remaining after project completion: _____
- purpose of proposed removal (e.g. beach clearing, invasive species control, boat access): _____
- proposed method of plant removal: _____
- if chemical/herbicide treatment will be used, specify product(s): _____

v. Describe any proposed reclamation/mitigation following disturbance: _____

c. Will the proposed action use, or create a new demand for water? ☐ Yes ☐ No

If Yes:

i. Total anticipated water usage/demand per day: _____ gallons/day

ii. Will the proposed action obtain water from an existing public water supply? ☐ Yes ☐ No

If Yes:

- Name of district or service area: _____
- Does the existing public water supply have capacity to serve the proposal? ☐ Yes ☐ No
- Is the project site in the existing district? ☐ Yes ☐ No
- Is expansion of the district needed? ☐ Yes ☐ No
- Do existing lines serve the project site? ☐ Yes ☐ No

iii. Will line extension within an existing district be necessary to supply the project? ☐ Yes ☐ No

If Yes:

- Describe extensions or capacity expansions proposed to serve this project: _____
- Source(s) of supply for the district: _____

iv. Is a new water supply district or service area proposed to be formed to serve the project site? ☐ Yes ☐ No

If Yes:

- Applicant/sponsor for new district: _____
- Date application submitted or anticipated: _____
- Proposed source(s) of supply for new district: _____

v. If a public water supply will not be used, describe plans to provide water supply for the project: _____

vi. If water supply will be from wells (public or private), what is the maximum pumping capacity: _____ gallons/minute.

d. Will the proposed action generate liquid wastes? ☐ Yes ☐ No

If Yes:

i. Total anticipated liquid waste generation per day: _____ gallons/day

ii. Nature of liquid wastes to be generated (e.g., sanitary wastewater, industrial; if combination, describe all components and approximate volumes or proportions of each): _____

iii. Will the proposed action use any existing public wastewater treatment facilities? ☐ Yes ☐ No

If Yes:

- Name of wastewater treatment plant to be used: _____
- Name of district: _____
- Does the existing wastewater treatment plant have capacity to serve the project? ☐ Yes ☐ No
- Is the project site in the existing district? ☐ Yes ☐ No
- Is expansion of the district needed? ☐ Yes ☐ No

| | | |
|--|--|----|
| <ul style="list-style-type: none"> • Do existing sewer lines serve the project site? _____ • Will a line extension within an existing district be necessary to serve the project? _____ <p>If Yes:</p> <ul style="list-style-type: none"> • Describe extensions or capacity expansions proposed to serve this project: _____ | <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> No | 68 |
| iv. Will a new wastewater (sewage) treatment district be formed to serve the project site? _____ | | |
| If Yes: <ul style="list-style-type: none"> • Applicant/sponsor for new district: _____ • Date application submitted or anticipated: _____ • What is the receiving water for the wastewater discharge? _____ | | |
| v. If public facilities will not be used, describe plans to provide wastewater treatment for the project, including specifying proposed receiving water (name and classification if surface discharge or describe subsurface disposal plans): _____ | | |
| vi. Describe any plans or designs to capture, recycle or reuse liquid waste: _____ | | |
| e. Will the proposed action disturb more than one acre and create stormwater runoff, either from new point sources (i.e. ditches, pipes, swales, curbs, gutters or other concentrated flows of stormwater) or non-point source (i.e. sheet flow) during construction or post construction? _____ | | |
| If Yes: <ul style="list-style-type: none"> i. How much impervious surface will the project create in relation to total size of project parcel? <div style="margin-left: 20px;"> _____ Square feet or _____ acres (impervious surface) _____ Square feet or _____ acres (parcel size) </div> ii. Describe types of new point sources. _____ | | |
| iii. Where will the stormwater runoff be directed (i.e. on-site stormwater management facility/structures, adjacent properties, groundwater, on-site surface water or off-site surface waters)? _____ | | |
| <ul style="list-style-type: none"> • If to surface waters, identify receiving water bodies or wetlands: _____ • Will stormwater runoff flow to adjacent properties? _____ | | |
| iv. Does the proposed plan minimize impervious surfaces, use pervious materials or collect and re-use stormwater? _____ | | |
| f. Does the proposed action include, or will it use on-site, one or more sources of air emissions, including fuel combustion, waste incineration, or other processes or operations? _____ | | |
| If Yes, identify: <ul style="list-style-type: none"> i. Mobile sources during project operations (e.g., heavy equipment, fleet or delivery vehicles) _____ ii. Stationary sources during construction (e.g., power generation, structural heating, batch plant, crushers) _____ iii. Stationary sources during operations (e.g., process emissions, large boilers, electric generation) _____ | | |
| g. Will any air emission sources named in D.2.f (above), require a NY State Air Registration, Air Facility Permit, or Federal Clean Air Act Title IV or Title V Permit? _____ | | |
| If Yes: <ul style="list-style-type: none"> i. Is the project site located in an Air quality non-attainment area? (Area routinely or periodically fails to meet ambient air quality standards for all or some parts of the year) _____ ii. In addition to emissions as calculated in the application, the project will generate: <ul style="list-style-type: none"> • _____ Tons/year (short tons) of Carbon Dioxide (CO₂) • _____ Tons/year (short tons) of Nitrous Oxide (N₂O) • _____ Tons/year (short tons) of Perfluorocarbons (PFCs) • _____ Tons/year (short tons) of Sulfur Hexafluoride (SF₆) • _____ Tons/year (short tons) of Carbon Dioxide equivalent of Hydrofluorocarbons (HFCs) • _____ Tons/year (short tons) of Hazardous Air Pollutants (HAPs) | | |

h. Will the proposed action generate or emit methane (including, but not limited to, sewage treatment plants, landfills, composting facilities)? ☐ Yes ☐ No 69

If Yes:

- i. Estimate methane generation in tons/year (metric): _____
- ii. Describe any methane capture, control or elimination measures included in project design (e.g., combustion to generate heat or electricity, flaring): _____

i. Will the proposed action result in the release of air pollutants from open-air operations or processes, such as quarry or landfill operations? ☐ Yes ☐ No

If Yes: Describe operations and nature of emissions (e.g., diesel exhaust, rock particulates/dust): _____

j. Will the proposed action result in a substantial increase in traffic above present levels or generate substantial new demand for transportation facilities or services? ☐ Yes ☐ No

If Yes:

- i. When is the peak traffic expected (Check all that apply): ☐ Morning ☐ Evening ☐ Weekend
☐ Randomly between hours of _____ to _____
- ii. For commercial activities only, projected number of truck trips/day and type (e.g., semi trailers and dump trucks): _____
- iii. Parking spaces: Existing _____ Proposed _____ Net increase/decrease _____
- iv. Does the proposed action include any shared use parking? ☐ Yes ☐ No
- v. If the proposed action includes any modification of existing roads, creation of new roads or change in existing access, describe: _____
- vi. Are public/private transportation service(s) or facilities available within ½ mile of the proposed site? ☐ Yes ☐ No
- vii. Will the proposed action include access to public transportation or accommodations for use of hybrid, electric or other alternative fueled vehicles? ☐ Yes ☐ No
- viii. Will the proposed action include plans for pedestrian or bicycle accommodations for connections to existing pedestrian or bicycle routes? ☐ Yes ☐ No

k. Will the proposed action (for commercial or industrial projects only) generate new or additional demand for energy? ☐ Yes ☐ No

If Yes:

- i. Estimate annual electricity demand during operation of the proposed action: _____
- ii. Anticipated sources/suppliers of electricity for the project (e.g., on-site combustion, on-site renewable, via grid/local utility, or other): _____
- iii. Will the proposed action require a new, or an upgrade, to an existing substation? ☐ Yes ☐ No

l. Hours of operation. Answer all items which apply.

i. During Construction:

- Monday - Friday: _____
- Saturday: _____
- Sunday: _____
- Holidays: _____

ii. During Operations:

- Monday - Friday: _____
- Saturday: _____
- Sunday: _____
- Holidays: _____

| | |
|---|----|
| <p>m. Will the proposed action produce noise that will exceed existing ambient noise levels during construction, operation, or both? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If yes:</p> <p>i. Provide details including sources, time of day and duration:</p> <p>_____</p> | 70 |
| <p>ii. Will the proposed action remove existing natural barriers that could act as a noise barrier or screen? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Describe: _____</p> | |
| <p>n. Will the proposed action have outdoor lighting? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If yes:</p> <p>i. Describe source(s), location(s), height of fixture(s), direction/aim, and proximity to nearest occupied structures:</p> <p>_____</p> | |
| <p>ii. Will proposed action remove existing natural barriers that could act as a light barrier or screen? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Describe: _____</p> | |
| <p>o. Does the proposed action have the potential to produce odors for more than one hour per day? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes, describe possible sources, potential frequency and duration of odor emissions, and proximity to nearest occupied structures: _____</p> <p>_____</p> | |
| <p>p. Will the proposed action include any bulk storage of petroleum (combined capacity of over 1,100 gallons) or chemical products 185 gallons in above ground storage or any amount in underground storage? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes:</p> <p>i. Product(s) to be stored _____</p> <p>ii. Volume(s) _____ per unit time _____ (e.g., month, year)</p> <p>iii. Generally, describe the proposed storage facilities: _____</p> | |
| <p>q. Will the proposed action (commercial, industrial and recreational projects only) use pesticides (i.e., herbicides, insecticides) during construction or operation? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes:</p> <p>i. Describe proposed treatment(s):</p> <p>_____</p> <p>_____</p> | |
| <p>ii. Will the proposed action use Integrated Pest Management Practices? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> | |
| <p>r. Will the proposed action (commercial or industrial projects only) involve or require the management or disposal of solid waste (excluding hazardous materials)? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes:</p> <p>i. Describe any solid waste(s) to be generated during construction or operation of the facility:</p> <ul style="list-style-type: none"> • Construction: _____ tons per _____ (unit of time) • Operation : _____ tons per _____ (unit of time) <p>ii. Describe any proposals for on-site minimization, recycling or reuse of materials to avoid disposal as solid waste:</p> <ul style="list-style-type: none"> • Construction: _____ • Operation: _____ <p>iii. Proposed disposal methods/facilities for solid waste generated on-site:</p> <ul style="list-style-type: none"> • Construction: _____ • Operation: _____ | |

s. Does the proposed action include construction or modification of a solid waste management facility? ☐ Yes ☐ No 71

If Yes:

i. Type of management or handling of waste proposed for the site (e.g., recycling or transfer station, composting, landfill, or other disposal activities): _____

ii. Anticipated rate of disposal/processing:

- _____ Tons/month, if transfer or other non-combustion/thermal treatment, or
- _____ Tons/hour, if combustion or thermal treatment

iii. If landfill, anticipated site life: _____ years

t. Will the proposed action at the site involve the commercial generation, treatment, storage, or disposal of hazardous waste? ☐ Yes ☐ No

If Yes:

i. Name(s) of all hazardous wastes or constituents to be generated, handled or managed at facility: _____

ii. Generally describe processes or activities involving hazardous wastes or constituents: _____

iii. Specify amount to be handled or generated _____ tons/month

iv. Describe any proposals for on-site minimization, recycling or reuse of hazardous constituents: _____

v. Will any hazardous wastes be disposed at an existing offsite hazardous waste facility? ☐ Yes ☐ No

If Yes: provide name and location of facility: _____

If No: describe proposed management of any hazardous wastes which will not be sent to a hazardous waste facility: _____

E. Site and Setting of Proposed Action

E.1. Land uses on and surrounding the project site

a. Existing land uses.

i. Check all uses that occur on, adjoining and near the project site.

- ☐ Urban ☐ Industrial ☐ Commercial ☐ Residential (suburban) ☐ Rural (non-farm)
☐ Forest ☐ Agriculture ☐ Aquatic ☐ Other (specify): _____

ii. If mix of uses, generally describe: _____

b. Land uses and covertypes on the project site.

| Land use or Covertype | Current Acreage | Acreage After Project Completion | Change (Acres +/-) |
|--|--------------------|-------------------------------------|-----------------------|
| • Roads, buildings, and other paved or impervious surfaces | | | |
| • Forested | | | |
| • Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural) | | | |
| • Agricultural (includes active orchards, field, greenhouse etc.) | | | |
| • Surface water features (lakes, ponds, streams, rivers, etc.) | | | |
| • Wetlands (freshwater or tidal) | | | |
| • Non-vegetated (bare rock, earth or fill) | | | |
| • Other Describe: _____ | | | |

| | |
|--|----|
| <p>c. Is the project site presently used by members of the community for public recreation? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>i. If Yes: explain: _____</p> | 72 |
| <p>d. Are there any facilities serving children, the elderly, people with disabilities (e.g., schools, hospitals, licensed day care centers, or group homes) within 1500 feet of the project site? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes,</p> <p>i. Identify Facilities: _____</p> <p>_____</p> | |
| <p>e. Does the project site contain an existing dam? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes:</p> <p>i. Dimensions of the dam and impoundment:</p> <ul style="list-style-type: none"> • Dam height: _____ feet • Dam length: _____ feet • Surface area: _____ acres • Volume impounded: _____ gallons OR acre-feet <p>ii. Dam's existing hazard classification: _____</p> <p>iii. Provide date and summarize results of last inspection: _____</p> <p>_____</p> | |
| <p>f. Has the project site ever been used as a municipal, commercial or industrial solid waste management facility, or does the project site adjoin property which is now, or was at one time, used as a solid waste management facility? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes:</p> <p>i. Has the facility been formally closed? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <ul style="list-style-type: none"> • If yes, cite sources/documentation: _____ <p>ii. Describe the location of the project site relative to the boundaries of the solid waste management facility: _____</p> <p>_____</p> <p>iii. Describe any development constraints due to the prior solid waste activities: _____</p> <p>_____</p> | |
| <p>g. Have hazardous wastes been generated, treated and/or disposed of at the site, or does the project site adjoin property which is now or was at one time used to commercially treat, store and/or dispose of hazardous waste? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes:</p> <p>i. Describe waste(s) handled and waste management activities, including approximate time when activities occurred: _____</p> <p>_____</p> | |
| <p>h. Potential contamination history. Has there been a reported spill at the proposed project site, or have any remedial actions been conducted at or adjacent to the proposed site? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes:</p> <p>i. Is any portion of the site listed on the NYSDEC Spills Incidents database or Environmental Site Remediation database? Check all that apply: <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <div style="display: flex; justify-content: space-between;"> <div> <input type="checkbox"/> Yes – Spills Incidents database <input type="checkbox"/> Yes – Environmental Site Remediation database <input type="checkbox"/> Neither database </div> <div> Provide DEC ID number(s): _____ Provide DEC ID number(s): _____ </div> </div> <p>ii. If site has been subject of RCRA corrective activities, describe control measures: _____</p> <p>_____</p> <p>iii. Is the project within 2000 feet of any site in the NYSDEC Environmental Site Remediation database? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If yes, provide DEC ID number(s): _____</p> <p>iv. If yes to (i), (ii) or (iii) above, describe current status of site(s): _____</p> <p>_____</p> | |

| | |
|---|-----------------------------------|
| v. Is the project site subject to an institutional control limiting property uses? <input type="checkbox"/> Yes <input type="checkbox"/> No 73 | |
| <ul style="list-style-type: none"> • If yes, DEC site ID number: _____ • Describe the type of institutional control (e.g., deed restriction or easement): _____ • Describe any use limitations: _____ • Describe any engineering controls: _____ • Will the project affect the institutional or engineering controls in place? <input type="checkbox"/> Yes <input type="checkbox"/> No • Explain: _____ | |
| E.2. Natural Resources On or Near Project Site | |
| a. What is the average depth to bedrock on the project site? _____ feet | |
| b. Are there bedrock outcroppings on the project site? <input type="checkbox"/> Yes <input type="checkbox"/> No | |
| If Yes, what proportion of the site is comprised of bedrock outcroppings? _____ % | |
| c. Predominant soil type(s) present on project site: _____ % | |
| _____ % | |
| _____ % | |
| d. What is the average depth to the water table on the project site? Average: _____ feet | |
| e. Drainage status of project site soils: <input type="checkbox"/> Well Drained: _____ % of site | |
| <input type="checkbox"/> Moderately Well Drained: _____ % of site | |
| <input type="checkbox"/> Poorly Drained: _____ % of site | |
| f. Approximate proportion of proposed action site with slopes: <input type="checkbox"/> 0-10%: _____ % of site | |
| <input type="checkbox"/> 10-15%: _____ % of site | |
| <input type="checkbox"/> 15% or greater: _____ % of site | |
| g. Are there any unique geologic features on the project site? <input type="checkbox"/> Yes <input type="checkbox"/> No | |
| If Yes, describe: _____ | |
| h. Surface water features. | |
| i. Does any portion of the project site contain wetlands or other waterbodies (including streams, rivers, ponds or lakes)? <input type="checkbox"/> Yes <input type="checkbox"/> No | |
| ii. Do any wetlands or other waterbodies adjoin the project site? <input type="checkbox"/> Yes <input type="checkbox"/> No | |
| If Yes to either i or ii, continue. If No, skip to E.2.i. | |
| iii. Are any of the wetlands or waterbodies within or adjoining the project site regulated by any federal, state or local agency? <input type="checkbox"/> Yes <input type="checkbox"/> No | |
| iv. For each identified regulated wetland and waterbody on the project site, provide the following information: | |
| • Streams: | Name _____ Classification _____ |
| • Lakes or Ponds: | Name _____ Classification _____ |
| • Wetlands: | Name _____ Approximate Size _____ |
| • Wetland No. (if regulated by DEC) | _____ |
| v. Are any of the above water bodies listed in the most recent compilation of NYS water quality-impaired waterbodies? <input type="checkbox"/> Yes <input type="checkbox"/> No | |
| If yes, name of impaired water body/bodies and basis for listing as impaired: _____ | |
| i. Is the project site in a designated Floodway? <input type="checkbox"/> Yes <input type="checkbox"/> No | |
| j. Is the project site in the 100-year Floodplain? <input type="checkbox"/> Yes <input type="checkbox"/> No | |
| k. Is the project site in the 500-year Floodplain? <input type="checkbox"/> Yes <input type="checkbox"/> No | |
| l. Is the project site located over, or immediately adjoining, a primary, principal or sole source aquifer? <input type="checkbox"/> Yes <input type="checkbox"/> No | |
| If Yes: | |
| i. Name of aquifer: _____ | |

| | |
|--|----|
| <p>m. Identify the predominant wildlife species that occupy or use the project site: _____</p> <p>_____</p> <p>_____</p> | 74 |
| <p>n. Does the project site contain a designated significant natural community? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes:</p> <p style="margin-left: 20px;">i. Describe the habitat/community (composition, function, and basis for designation): _____</p> <p style="margin-left: 20px;">ii. Source(s) of description or evaluation: _____</p> <p style="margin-left: 20px;">iii. Extent of community/habitat:</p> <ul style="list-style-type: none"> • Currently: _____ acres • Following completion of project as proposed: _____ acres • Gain or loss (indicate + or -): _____ acres | |
| <p>o. Does project site contain any species of plant or animal that is listed by the federal government or NYS as endangered or threatened, or does it contain any areas identified as habitat for an endangered or threatened species? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes:</p> <p style="margin-left: 20px;">i. Species and listing (endangered or threatened): _____</p> <p>_____</p> | |
| <p>p. Does the project site contain any species of plant or animal that is listed by NYS as rare, or as a species of special concern? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes:</p> <p style="margin-left: 20px;">i. Species and listing: _____</p> <p>_____</p> | |
| <p>q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If yes, give a brief description of how the proposed action may affect that use: _____</p> <p>_____</p> | |
| <p>E.3. Designated Public Resources On or Near Project Site</p> | |
| <p>a. Is the project site, or any portion of it, located in a designated agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes, provide county plus district name/number: _____</p> | |
| <p>b. Are agricultural lands consisting of highly productive soils present? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p style="margin-left: 20px;">i. If Yes: acreage(s) on project site? _____</p> <p style="margin-left: 20px;">ii. Source(s) of soil rating(s): _____</p> | |
| <p>c. Does the project site contain all or part of, or is it substantially contiguous to, a registered National Natural Landmark? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes:</p> <p style="margin-left: 20px;">i. Nature of the natural landmark: <input type="checkbox"/> Biological Community <input type="checkbox"/> Geological Feature</p> <p style="margin-left: 20px;">ii. Provide brief description of landmark, including values behind designation and approximate size/extent: _____</p> <p>_____</p> | |
| <p>d. Is the project site located in or does it adjoin a state listed Critical Environmental Area? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes:</p> <p style="margin-left: 20px;">i. CEA name: _____</p> <p style="margin-left: 20px;">ii. Basis for designation: _____</p> <p style="margin-left: 20px;">iii. Designating agency and date: _____</p> | |

| | |
|---|--|
| e. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places? <input type="checkbox"/> Yes <input type="checkbox"/> No 75 | |
| If Yes: i. Nature of historic/archaeological resource: <input type="checkbox"/> Archaeological Site <input type="checkbox"/> Historic Building or District ii. Name: _____ iii. Brief description of attributes on which listing is based: _____ | |
| f. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory? <input type="checkbox"/> Yes <input type="checkbox"/> No | |
| g. Have additional archaeological or historic site(s) or resources been identified on the project site? <input type="checkbox"/> Yes <input type="checkbox"/> No If Yes: i. Describe possible resource(s): _____ ii. Basis for identification: _____ | |
| h. Is the project site within five miles of any officially designated and publicly accessible federal, state, or local scenic or aesthetic resource? <input type="checkbox"/> Yes <input type="checkbox"/> No If Yes: i. Identify resource: _____ ii. Nature of, or basis for, designation (e.g., established highway overlook, state or local park, state historic trail or scenic byway, etc.): _____ iii. Distance between project and resource: _____ miles. | |
| i. Is the project site located within a designated river corridor under the Wild, Scenic and Recreational Rivers Program 6 NYCRR 666? <input type="checkbox"/> Yes <input type="checkbox"/> No If Yes: i. Identify the name of the river and its designation: _____ ii. Is the activity consistent with development restrictions contained in 6NYCRR Part 666? <input type="checkbox"/> Yes <input type="checkbox"/> No | |

F. Additional Information

Attach any additional information which may be needed to clarify your project.

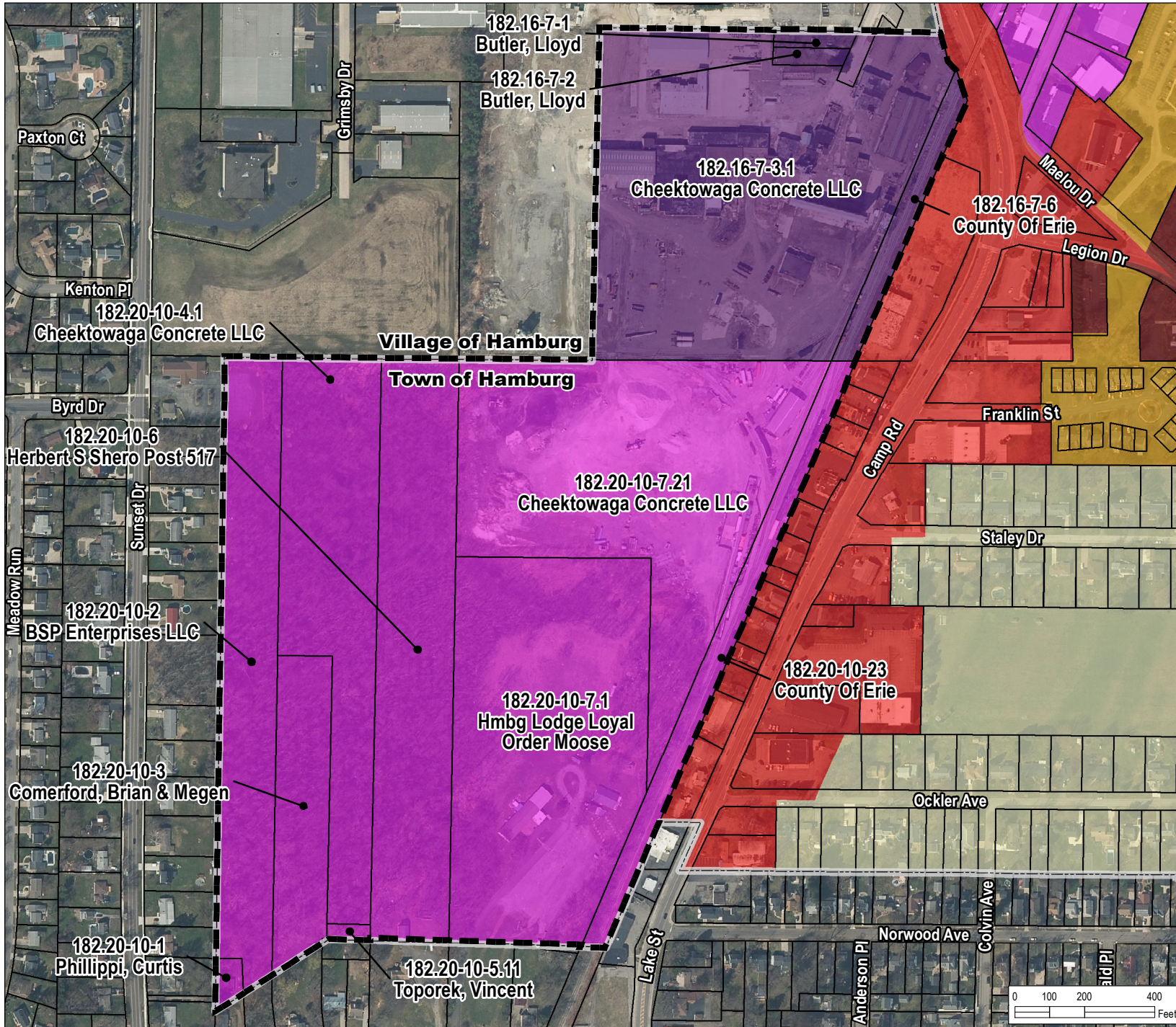
If you have identified any adverse impacts which could be associated with your proposal, please describe those impacts plus any measures which you propose to avoid or minimize them.

G. Verification

I certify that the information provided is true to the best of my knowledge.

Applicant/Sponsor Name Andrew Relly, AICP Date 3/8/2023

Signature  Title Director of Planning & Environ. Services, Wendel



Town of Hamburg

Erie County, New York

Proposed Industrial Zoned Properties Changes

Camp Rd and Staley Dr Area



LEGEND

- Parcels (2022)
- Area in Question
- Town of Hamburg Zoning as of 6/28/2022**
- C2
- C3
- M2
- M3
- R1
- R3

Town Board of the Town of Hamburg
March 13, 2023 Meeting

15. Industrial Rezoning Resolution - Operating Engineers

WHEREAS, this resolution introduces a proposed amendment to the Zoning Map of the Town of Hamburg to rezone parcels on the east side of the railroad near Heltz Road and Pleasant Avenue with the following SBL numbers from M-2 Light Industrial to R-A Residential Agricultural: 181.00-1-5.11 and 181.00-1-5.12; and

WHEREAS, the proposed zoning map amendment is proposed in the form of a Local Law pursuant to the authority granted to the Town of Hamburg (“Town”) Town Board (“Town Board”) and the Town by Articles 2 and 3 of the New York State Municipal Home Rule Law and by Article 2 of the New York State Statute of Local Governments, and the Town Board is authorized and empowered by Chapter 280, Article XLVIII of the Code, and Article 16 of New York Town Law to amend the Zoning Map of the Town to meet the growing and changing needs of the Town; and

WHEREAS, since 2019, the Town has been in the process of updating its Comprehensive Plan, and evaluating potential Zoning Code and Zoning Map amendments throughout the Town, including industrial properties, and evaluating other land use issues throughout the Town; and

WHEREAS, through the process of updating its Comprehensive Plan, the Town has identified areas that it views as improperly zoned in light of changes in the Town and the region since the adoption of the last Comprehensive Plan update in 2008; and

WHEREAS, the Town’s new 2022 Comprehensive Plan (“Plan”) has been adopted and the Town Board has authorized the Town’s Planning Department and the Town’s Planning Consultant to begin the implementation of the Plan; and

WHEREAS, in anticipation of the introduction of the proposed zoning map amendment, the Town’s Planning Consultant has prepared for the Town Board’s review Part 1 of a Full Environmental Assessment Form (“FEAF”), pursuant to SEQRA, of which a copy is attached as Exhibit A to this Resolution; and

WHEREAS, pursuant to New York State Municipal Rule Law § 20, a copy of this Resolution was received by each member of the Town Board prior to this meeting and the Proposed Local Law shall be deemed to be on the desk of each member of the Town Board as of tonight’s Town Board meeting.

NOW THEREFORE, BE IT RESOLVED BY THE TOWN BOARD OF THE TOWN OF HAMBURG AS FOLLOWS:

1. The Town Board has determined that they would like to proceed with the rezoning of these parcels.
2. For the reasons set forth in this Resolution, and pursuant to New York State Municipal Home Rule Law § 20 and Sections 8-15 and 280-338 of the Code, the Town Board hereby introduces Town of Hamburg “Local Law No. x of 2023, A local law to amend the Zoning Map of the Town of Hamburg to rezone parcels on the east side of the railroad near Heltz Road and Pleasant Avenue with the following SBL numbers from M-2 Light Industrial to R-A Residential Agricultural: 181.00-1-5.11 and 181.00-1-5.12.
3. Pursuant to provisions of SEQRA, the Town Board hereby determines to classify the adoption of the proposed zoning map amendment (the “proposed action” in accordance with SEQRA) as a Type I action in accordance with Article 8 of the New York State Environmental Conservation Law and 6 NYCRR Part 617.4(b)(2).

4. Further, pursuant to SEQRA, the Town Board further determines that it will be the only agency with approval authority over the proposed action. Accordingly, the Town Board hereby declares itself to be the Lead Agency for the conduct of the environmental review of the proposed action under SEQRA.
5. The Town Board hereby accepts the FEAF for the proposed action, which has been prepared by the Town's Planning Consultant, a copy of which is attached as Exhibit A to this Resolution.
6. The Town Board hereby directs that the proposed zoning map amendment be referred to the Erie County Department of Environment and Planning pursuant to Section 239-m of the New York State General Municipal Law.
7. The Town Board hereby directs that the proposed zoning map amendment be referred to the Town Planning Board for its review and for an advisory report pursuant to § 280-340(B) of the Code. The Planning Board shall deliver its response to this referral to the Town Board.
8. The Town Board hereby directs that the proposed zoning map amendment be referred to the Town's Code Review Committee for its review.
9. In accordance with New York State Municipal Home Rule Law § 20(5), the Town Board shall schedule a public hearing on the proposed zoning map amendment at a future meeting of the Town Board at a time and date as yet to be determined, to be held at the Town of Hamburg Town Hall, located at 6100 South Park Avenue, Hamburg, New York 14075. The Town Board directs the Town Clerk to provide notice to the public of the public hearing in accordance with the requirements set forth in the New York State Municipal Home Rule Law, Article 16 of New York Town Law, and § 280-340 of the Code, and directs the Town Clerk to publish of the proposed zoning map amendment in the Town's official newspaper not less than ten (10) calendar days prior to the public hearing.
10. The Town Board also directs the Town Clerk to post a copy of the proposed zoning map amendment on the Town's web site, and to make a paper copy of the proposed Local Laws available for review by the public at the Town Hall, located at 6100 South Park Avenue, Hamburg, New York 14075.
11. The Town Board hereby directs the Town's Planning Consultant to prepare for the Town Board's review at a later date a Part 2 and Part 3 of the SEQRA Environmental Assessment Form for the Town Board's review and consideration.

Moved: R. Hoak

ATTACHMENTS:

| Description | Upload Date | Type |
|---|-------------|-----------------|
| Operating Engineers | 3/9/2023 | Cover Memo |
| Industrial Rezoning Map - Operating Engineers | 3/9/2023 | Backup Material |

Full Environmental Assessment Form
Part 1 - Project and Setting

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Instructions for Completing Part 1

Part 1 is to be completed by the applicant or project sponsor. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification.

Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information; indicate whether missing information does not exist, or is not reasonably available to the sponsor; and, when possible, generally describe work or studies which would be necessary to update or fully develop that information.

Applicants/sponsors must complete all items in Sections A & B. In Sections C, D & E, most items contain an initial question that must be answered either "Yes" or "No". If the answer to the initial question is "Yes", complete the sub-questions that follow. If the answer to the initial question is "No", proceed to the next question. Section F allows the project sponsor to identify and attach any additional information. Section G requires the name and signature of the applicant or project sponsor to verify that the information contained in Part 1 is accurate and complete.

A. Project and Applicant/Sponsor Information.

| | | |
|---|-----------|-------------------------|
| Name of Action or Project: Operating Engineers Rezoning | | |
| Project Location (describe, and attach a general location map): East side of the railroad near Heltz Road and Pleasant Avenue | | |
| Brief Description of Proposed Action (include purpose or need): Rezoning parcels 181.00-1-5.11 and 181.00-1-5.12 from M-2 (Light Industrial District) to R-A (Residential Agricultural District) | | |
| Name of Applicant/Sponsor: Town of Hamburg | | Telephone: 716-649-6111 |
| | | E-Mail: |
| Address: 6100 South Park Avenue | | |
| City/PO: Hamburg | State: NY | Zip Code: 14075 |
| Project Contact (if not same as sponsor; give name and title/role): | | Telephone: |
| | | E-Mail: |
| Address: | | |
| City/PO: | State: | Zip Code: |
| Property Owner (if not same as sponsor): | | Telephone: |
| | | E-Mail: |
| Address: | | |
| City/PO: | State: | Zip Code: |

B. Government Approvals**B. Government Approvals, Funding, or Sponsorship.** ("Funding" includes grants, loans, tax relief, and any other forms of financial assistance.)

| Government Entity | If Yes: Identify Agency and Approval(s) Required | Application Date (Actual or projected) |
|--|--|---|
| a. City Council, Town Board, <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No or Village Board of Trustees | | |
| b. City, Town or Village <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Planning Board or Commission | | |
| c. City, Town or <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Village Zoning Board of Appeals | | |
| d. Other local agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | | |
| e. County agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | County 239 referral | |
| f. Regional agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | | |
| g. State agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | | |
| h. Federal agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | | |
| i. Coastal Resources. | | |
| i. Is the project site within a Coastal Area, or the waterfront area of a Designated Inland Waterway? | | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| ii. Is the project site located in a community with an approved Local Waterfront Revitalization Program? | | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |
| iii. Is the project site within a Coastal Erosion Hazard Area? | | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |

C. Planning and Zoning**C.1. Planning and zoning actions.**

Will administrative or legislative adoption, or amendment of a plan, local law, ordinance, rule or regulation be the only approval(s) which must be granted to enable the proposed action to proceed? ☒ Yes ☐ No

- If Yes, complete sections C, F and G.
- If No, proceed to question C.2 and complete all remaining sections and questions in Part 1

C.2. Adopted land use plans.

a. Do any municipally- adopted (city, town, village or county) comprehensive land use plan(s) include the site where the proposed action would be located? ☒ Yes ☐ No

If Yes, does the comprehensive plan include specific recommendations for the site where the proposed action would be located? ☒ Yes ☐ No

b. Is the site of the proposed action within any local or regional special planning district (for example: Greenway; Brownfield Opportunity Area (BOA); designated State or Federal heritage area; watershed management plan; or other?) ☒ Yes ☐ No

If Yes, identify the plan(s):

NYS Heritage Area: West Erie Canal Corridor

c. Is the proposed action located wholly or partially within an area listed in an adopted municipal open space plan, or an adopted municipal farmland protection plan? ☒ Yes ☐ No

If Yes, identify the plan(s):

Open Space and Greenspace Plan

C.3. Zoning

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a. Is the site of the proposed action located in a municipality with an adopted zoning law or ordinance. ☒ Yes ☐ No
If Yes, what is the zoning classification(s) including any applicable overlay district?

b. Is the use permitted or allowed by a special or conditional use permit? ☐ Yes ☐ No

c. Is a zoning change requested as part of the proposed action? ☒ Yes ☐ No
If Yes,

i. What is the proposed new zoning for the site? R-A Residential Agricultural

C.4. Existing community services.

a. In what school district is the project site located? Frontier CSD

b. What police or other public protection forces serve the project site?

Hamburg Police and Erie County Sheriff's

c. Which fire protection and emergency medical services serve the project site?

Lakeview Fire District

d. What parks serve the project site?

None

D. Project Details**D.1. Proposed and Potential Development**

a. What is the general nature of the proposed action (e.g., residential, industrial, commercial, recreational; if mixed, include all components)?

- b. a. Total acreage of the site of the proposed action? _____ acres
b. Total acreage to be physically disturbed? _____ acres
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ acres

c. Is the proposed action an expansion of an existing project or use? ☐ Yes ☐ No
i. If Yes, what is the approximate percentage of the proposed expansion and identify the units (e.g., acres, miles, housing units, square feet)? % _____ Units: _____

d. Is the proposed action a subdivision, or does it include a subdivision? ☐ Yes ☐ No

If Yes,

i. Purpose or type of subdivision? (e.g., residential, industrial, commercial; if mixed, specify types)

ii. Is a cluster/conservation layout proposed? ☐ Yes ☐ No

iii. Number of lots proposed? _____

iv. Minimum and maximum proposed lot sizes? Minimum _____ Maximum _____

e. Will the proposed action be constructed in multiple phases? ☐ Yes ☐ No

i. If No, anticipated period of construction: _____ months

ii. If Yes:

- Total number of phases anticipated _____
- Anticipated commencement date of phase 1 (including demolition) _____ month _____ year
- Anticipated completion date of final phase _____ month _____ year
- Generally describe connections or relationships among phases, including any contingencies where progress of one phase may determine timing or duration of future phases: _____

| | | | | |
|---|-------------------|-------------------|---------------------|---------------------------------------|
| f. Does the project include new residential uses? <input type="checkbox"/> Yes <input type="checkbox"/> No 82 If Yes, show numbers of units proposed. | | | | |
| | <u>One Family</u> | <u>Two Family</u> | <u>Three Family</u> | <u>Multiple Family (four or more)</u> |
| Initial Phase | _____ | _____ | _____ | _____ |
| At completion | _____ | _____ | _____ | _____ |
| of all phases | _____ | _____ | _____ | _____ |

| | |
|---|--|
| g. Does the proposed action include new non-residential construction (including expansions)? <input type="checkbox"/> Yes <input type="checkbox"/> No If Yes, | |
| i. Total number of structures _____ ii. Dimensions (in feet) of largest proposed structure: _____ height; _____ width; and _____ length iii. Approximate extent of building space to be heated or cooled: _____ square feet | |

| | |
|--|--|
| h. Does the proposed action include construction or other activities that will result in the impoundment of any liquids, such as creation of a water supply, reservoir, pond, lake, waste lagoon or other storage? <input type="checkbox"/> Yes <input type="checkbox"/> No If Yes, | |
| i. Purpose of the impoundment: _____ ii. If a water impoundment, the principal source of the water: <input type="checkbox"/> Ground water <input type="checkbox"/> Surface water streams <input type="checkbox"/> Other specify: _____ iii. If other than water, identify the type of impounded/contained liquids and their source. _____ iv. Approximate size of the proposed impoundment. Volume: _____ million gallons; surface area: _____ acres v. Dimensions of the proposed dam or impounding structure: _____ height; _____ length vi. Construction method/materials for the proposed dam or impounding structure (e.g., earth fill, rock, wood, concrete): _____ | |

D.2. Project Operations

| | |
|--|--|
| a. Does the proposed action include any excavation, mining, or dredging, during construction, operations, or both? (Not including general site preparation, grading or installation of utilities or foundations where all excavated materials will remain onsite) <input type="checkbox"/> Yes <input type="checkbox"/> No If Yes: | |
| i. What is the purpose of the excavation or dredging? _____ ii. How much material (including rock, earth, sediments, etc.) is proposed to be removed from the site? • Volume (specify tons or cubic yards): _____ • Over what duration of time? _____ iii. Describe nature and characteristics of materials to be excavated or dredged, and plans to use, manage or dispose of them. _____ _____ iv. Will there be onsite dewatering or processing of excavated materials? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, describe. _____ _____ v. What is the total area to be dredged or excavated? _____ acres vi. What is the maximum area to be worked at any one time? _____ acres vii. What would be the maximum depth of excavation or dredging? _____ feet viii. Will the excavation require blasting? <input type="checkbox"/> Yes <input type="checkbox"/> No ix. Summarize site reclamation goals and plan: _____ _____ _____ | |

| | |
|---|--|
| b. Would the proposed action cause or result in alteration of, increase or decrease in size of, or encroachment into any existing wetland, waterbody, shoreline, beach or adjacent area? <input type="checkbox"/> Yes <input type="checkbox"/> No If Yes: | |
| i. Identify the wetland or waterbody which would be affected (by name, water index number, wetland map number or geographic description): _____ _____ _____ | |

ii. Describe how the proposed action would affect that waterbody or wetland, e.g. excavation, fill, placement of structures, or alteration of channels, banks and shorelines. Indicate extent of activities, alterations and additions in square feet or acres:

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iii. Will the proposed action cause or result in disturbance to bottom sediments?

☐ Yes ☐ No

If Yes, describe:

iv. Will the proposed action cause or result in the destruction or removal of aquatic vegetation?

☐ Yes ☐ No

If Yes:

- acres of aquatic vegetation proposed to be removed: _____
- expected acreage of aquatic vegetation remaining after project completion: _____
- purpose of proposed removal (e.g. beach clearing, invasive species control, boat access): _____

- proposed method of plant removal: _____

- if chemical/herbicide treatment will be used, specify product(s): _____

v. Describe any proposed reclamation/mitigation following disturbance: _____

c. Will the proposed action use, or create a new demand for water?

☐ Yes ☐ No

If Yes:

i. Total anticipated water usage/demand per day: _____ gallons/day

ii. Will the proposed action obtain water from an existing public water supply?

☐ Yes ☐ No

If Yes:

- Name of district or service area: _____
- Does the existing public water supply have capacity to serve the proposal? ☐ Yes ☐ No
- Is the project site in the existing district? ☐ Yes ☐ No
- Is expansion of the district needed? ☐ Yes ☐ No
- Do existing lines serve the project site? ☐ Yes ☐ No

iii. Will line extension within an existing district be necessary to supply the project?

☐ Yes ☐ No

If Yes:

- Describe extensions or capacity expansions proposed to serve this project: _____

- Source(s) of supply for the district: _____

iv. Is a new water supply district or service area proposed to be formed to serve the project site?

☐ Yes ☐ No

If Yes:

- Applicant/sponsor for new district: _____
- Date application submitted or anticipated: _____
- Proposed source(s) of supply for new district: _____

vi. If a public water supply will not be used, describe plans to provide water supply for the project: _____

vi. If water supply will be from wells (public or private), what is the maximum pumping capacity: _____ gallons/minute.

d. Will the proposed action generate liquid wastes?

☐ Yes ☐ No

If Yes:

i. Total anticipated liquid waste generation per day: _____ gallons/day

ii. Nature of liquid wastes to be generated (e.g., sanitary wastewater, industrial; if combination, describe all components and approximate volumes or proportions of each): _____

iii. Will the proposed action use any existing public wastewater treatment facilities?

☐ Yes ☐ No

If Yes:

- Name of wastewater treatment plant to be used: _____
- Name of district: _____
- Does the existing wastewater treatment plant have capacity to serve the project? ☐ Yes ☐ No
- Is the project site in the existing district? ☐ Yes ☐ No
- Is expansion of the district needed? ☐ Yes ☐ No

- Do existing sewer lines serve the project site?
- Will a line extension within an existing district be necessary to serve the project?

☐ Yes ☐ No 84
☐ Yes ☐ No

If Yes:

- Describe extensions or capacity expansions proposed to serve this project: _____

iv. Will a new wastewater (sewage) treatment district be formed to serve the project site?

☐ Yes ☐ No

If Yes:

- Applicant/sponsor for new district: _____
- Date application submitted or anticipated: _____
- What is the receiving water for the wastewater discharge? _____

v. If public facilities will not be used, describe plans to provide wastewater treatment for the project, including specifying proposed receiving water (name and classification if surface discharge or describe subsurface disposal plans):

vi. Describe any plans or designs to capture, recycle or reuse liquid waste: _____

e. Will the proposed action disturb more than one acre and create stormwater runoff, either from new point sources (i.e. ditches, pipes, swales, curbs, gutters or other concentrated flows of stormwater) or non-point source (i.e. sheet flow) during construction or post construction?

☐ Yes ☐ No

If Yes:

i. How much impervious surface will the project create in relation to total size of project parcel?

_____ Square feet or _____ acres (impervious surface)

_____ Square feet or _____ acres (parcel size)

ii. Describe types of new point sources. _____

iii. Where will the stormwater runoff be directed (i.e. on-site stormwater management facility/structures, adjacent properties, groundwater, on-site surface water or off-site surface waters)?

- If to surface waters, identify receiving water bodies or wetlands: _____

- Will stormwater runoff flow to adjacent properties?

☐ Yes ☐ No

iv. Does the proposed plan minimize impervious surfaces, use pervious materials or collect and re-use stormwater?

☐ Yes ☐ No

f. Does the proposed action include, or will it use on-site, one or more sources of air emissions, including fuel combustion, waste incineration, or other processes or operations?

☐ Yes ☐ No

If Yes, identify:

i. Mobile sources during project operations (e.g., heavy equipment, fleet or delivery vehicles)

ii. Stationary sources during construction (e.g., power generation, structural heating, batch plant, crushers)

iii. Stationary sources during operations (e.g., process emissions, large boilers, electric generation)

g. Will any air emission sources named in D.2.f (above), require a NY State Air Registration, Air Facility Permit, or Federal Clean Air Act Title IV or Title V Permit?

☐ Yes ☐ No

If Yes:

i. Is the project site located in an Air quality non-attainment area? (Area routinely or periodically fails to meet ambient air quality standards for all or some parts of the year)

☐ Yes ☐ No

ii. In addition to emissions as calculated in the application, the project will generate:

- _____ Tons/year (short tons) of Carbon Dioxide (CO₂)
- _____ Tons/year (short tons) of Nitrous Oxide (N₂O)
- _____ Tons/year (short tons) of Perfluorocarbons (PFCs)
- _____ Tons/year (short tons) of Sulfur Hexafluoride (SF₆)
- _____ Tons/year (short tons) of Carbon Dioxide equivalent of Hydrofluorocarbons (HFCs)
- _____ Tons/year (short tons) of Hazardous Air Pollutants (HAPs)

h. Will the proposed action generate or emit methane (including, but not limited to, sewage treatment plants, landfills, composting facilities)? ☐ Yes ☐ No 85

If Yes:

- i. Estimate methane generation in tons/year (metric): _____
- ii. Describe any methane capture, control or elimination measures included in project design (e.g., combustion to generate heat or electricity, flaring): _____

i. Will the proposed action result in the release of air pollutants from open-air operations or processes, such as quarry or landfill operations? ☐ Yes ☐ No

If Yes: Describe operations and nature of emissions (e.g., diesel exhaust, rock particulates/dust): _____

j. Will the proposed action result in a substantial increase in traffic above present levels or generate substantial new demand for transportation facilities or services? ☐ Yes ☐ No

If Yes:

- i. When is the peak traffic expected (Check all that apply): ☐ Morning ☐ Evening ☐ Weekend
☐ Randomly between hours of _____ to _____.
- ii. For commercial activities only, projected number of truck trips/day and type (e.g., semi trailers and dump trucks): _____

iii. Parking spaces: Existing _____ Proposed _____ Net increase/decrease _____

iv. Does the proposed action include any shared use parking? ☐ Yes ☐ No

v. If the proposed action includes any modification of existing roads, creation of new roads or change in existing access, describe: _____

vi. Are public/private transportation service(s) or facilities available within ½ mile of the proposed site? ☐ Yes ☐ No

vii. Will the proposed action include access to public transportation or accommodations for use of hybrid, electric or other alternative fueled vehicles? ☐ Yes ☐ No

viii. Will the proposed action include plans for pedestrian or bicycle accommodations for connections to existing pedestrian or bicycle routes? ☐ Yes ☐ No

k. Will the proposed action (for commercial or industrial projects only) generate new or additional demand for energy? ☐ Yes ☐ No

If Yes:

i. Estimate annual electricity demand during operation of the proposed action: _____

ii. Anticipated sources/suppliers of electricity for the project (e.g., on-site combustion, on-site renewable, via grid/local utility, or other): _____

iii. Will the proposed action require a new, or an upgrade, to an existing substation? ☐ Yes ☐ No

l. Hours of operation. Answer all items which apply.

i. During Construction:

- Monday - Friday: _____
- Saturday: _____
- Sunday: _____
- Holidays: _____

ii. During Operations:

- Monday - Friday: _____
- Saturday: _____
- Sunday: _____
- Holidays: _____

m. Will the proposed action produce noise that will exceed existing ambient noise levels during construction, operation, or both? ☐ Yes ☐ No 86

If yes:

i. Provide details including sources, time of day and duration:

ii. Will the proposed action remove existing natural barriers that could act as a noise barrier or screen? ☐ Yes ☐ No

Describe: _____

n. Will the proposed action have outdoor lighting? ☐ Yes ☐ No

If yes:

i. Describe source(s), location(s), height of fixture(s), direction/aim, and proximity to nearest occupied structures:

ii. Will proposed action remove existing natural barriers that could act as a light barrier or screen? ☐ Yes ☐ No

Describe: _____

o. Does the proposed action have the potential to produce odors for more than one hour per day? ☐ Yes ☐ No

If Yes, describe possible sources, potential frequency and duration of odor emissions, and proximity to nearest occupied structures: _____

p. Will the proposed action include any bulk storage of petroleum (combined capacity of over 1,100 gallons) or chemical products 185 gallons in above ground storage or any amount in underground storage? ☐ Yes ☐ No

If Yes:

i. Product(s) to be stored _____

ii. Volume(s) _____ per unit time _____ (e.g., month, year)

iii. Generally, describe the proposed storage facilities: _____

q. Will the proposed action (commercial, industrial and recreational projects only) use pesticides (i.e., herbicides, insecticides) during construction or operation? ☐ Yes ☐ No

If Yes:

i. Describe proposed treatment(s): _____

ii. Will the proposed action use Integrated Pest Management Practices? ☐ Yes ☐ No

r. Will the proposed action (commercial or industrial projects only) involve or require the management or disposal of solid waste (excluding hazardous materials)? ☐ Yes ☐ No

If Yes:

i. Describe any solid waste(s) to be generated during construction or operation of the facility:

• Construction: _____ tons per _____ (unit of time)

• Operation: _____ tons per _____ (unit of time)

ii. Describe any proposals for on-site minimization, recycling or reuse of materials to avoid disposal as solid waste:

• Construction: _____

• Operation: _____

iii. Proposed disposal methods/facilities for solid waste generated on-site:

• Construction: _____

• Operation: _____

s. Does the proposed action include construction or modification of a solid waste management facility? ☐ Yes ☐ No 87

If Yes:

- Type of management or handling of waste proposed for the site (e.g., recycling or transfer station, composting, landfill, or other disposal activities): _____
- Anticipated rate of disposal/processing:
 - _____ Tons/month, if transfer or other non-combustion/thermal treatment, or
 - _____ Tons/hour, if combustion or thermal treatment
- If landfill, anticipated site life: _____ years

t. Will the proposed action at the site involve the commercial generation, treatment, storage, or disposal of hazardous waste? ☐ Yes ☐ No

If Yes:

- Name(s) of all hazardous wastes or constituents to be generated, handled or managed at facility: _____
- Generally describe processes or activities involving hazardous wastes or constituents: _____
- Specify amount to be handled or generated _____ tons/month
- Describe any proposals for on-site minimization, recycling or reuse of hazardous constituents: _____
- Will any hazardous wastes be disposed at an existing offsite hazardous waste facility? ☐ Yes ☐ No

If Yes: provide name and location of facility: _____

If No: describe proposed management of any hazardous wastes which will not be sent to a hazardous waste facility: _____

E. Site and Setting of Proposed Action

E.1. Land uses on and surrounding the project site

a. Existing land uses.

- Check all uses that occur on, adjoining and near the project site.

☐ Urban

☐ Industrial

☐ Commercial

☐ Residential (suburban)

☐ Rural (non-farm)

☐ Forest

☐ Agriculture

☐ Aquatic

☐ Other (specify): _____
- If mix of uses, generally describe: _____

b. Land uses and covertypes on the project site.

| Land use or Covertype | Current Acreage | Acreage After Project Completion | Change (Acres +/-) |
|--|-----------------|----------------------------------|--------------------|
| • Roads, buildings, and other paved or impervious surfaces | | | |
| • Forested | | | |
| • Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural) | | | |
| • Agricultural (includes active orchards, field, greenhouse etc.) | | | |
| • Surface water features (lakes, ponds, streams, rivers, etc.) | | | |
| • Wetlands (freshwater or tidal) | | | |
| • Non-vegetated (bare rock, earth or fill) | | | |
| • Other Describe: _____ | | | |

| | | |
|--|--|----|
| <p>c. Is the project site presently used by members of the community for public recreation? i. If Yes: explain: _____</p> | <input type="checkbox"/> Yes <input type="checkbox"/> No | 88 |
| <p>d. Are there any facilities serving children, the elderly, people with disabilities (e.g., schools, hospitals, licensed day care centers, or group homes) within 1500 feet of the project site? If Yes, i. Identify Facilities: _____</p> | <input type="checkbox"/> Yes <input type="checkbox"/> No | |
| <p>e. Does the project site contain an existing dam? If Yes: i. Dimensions of the dam and impoundment: • Dam height: _____ feet • Dam length: _____ feet • Surface area: _____ acres • Volume impounded: _____ gallons OR acre-feet ii. Dam's existing hazard classification: _____ iii. Provide date and summarize results of last inspection: _____</p> | <input type="checkbox"/> Yes <input type="checkbox"/> No | |
| <p>f. Has the project site ever been used as a municipal, commercial or industrial solid waste management facility, or does the project site adjoin property which is now, or was at one time, used as a solid waste management facility? If Yes: i. Has the facility been formally closed? • If yes, cite sources/documentation: _____ ii. Describe the location of the project site relative to the boundaries of the solid waste management facility: _____ iii. Describe any development constraints due to the prior solid waste activities: _____</p> | <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> No | |
| <p>g. Have hazardous wastes been generated, treated and/or disposed of at the site, or does the project site adjoin property which is now or was at one time used to commercially treat, store and/or dispose of hazardous waste? If Yes: i. Describe waste(s) handled and waste management activities, including approximate time when activities occurred: _____</p> | <input type="checkbox"/> Yes <input type="checkbox"/> No | |
| <p>h. Potential contamination history. Has there been a reported spill at the proposed project site, or have any remedial actions been conducted at or adjacent to the proposed site? If Yes: i. Is any portion of the site listed on the NYSDEC Spills Incidents database or Environmental Site Remediation database? Check all that apply: <input type="checkbox"/> Yes – Spills Incidents database <input type="checkbox"/> Yes – Environmental Site Remediation database <input type="checkbox"/> Neither database Provide DEC ID number(s): _____ Provide DEC ID number(s): _____ ii. If site has been subject of RCRA corrective activities, describe control measures: _____ iii. Is the project within 2000 feet of any site in the NYSDEC Environmental Site Remediation database? If yes, provide DEC ID number(s): _____ iv. If yes to (i), (ii) or (iii) above, describe current status of site(s): _____</p> | <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> No | |

v. Is the project site subject to an institutional control limiting property uses?

☐ Yes ☐ No 89

- If yes, DEC site ID number: _____
- Describe the type of institutional control (e.g., deed restriction or easement): _____
- Describe any use limitations: _____
- Describe any engineering controls: _____
- Will the project affect the institutional or engineering controls in place? ☐ Yes ☐ No
- Explain: _____

E.2. Natural Resources On or Near Project Site

a. What is the average depth to bedrock on the project site? _____ feet

b. Are there bedrock outcroppings on the project site? ☐ Yes ☐ No
If Yes, what proportion of the site is comprised of bedrock outcroppings? _____ %

c. Predominant soil type(s) present on project site: _____ %
_____ %
_____ %

d. What is the average depth to the water table on the project site? Average: _____ feet

e. Drainage status of project site soils: ☐ Well Drained: _____ % of site
☐ Moderately Well Drained: _____ % of site
☐ Poorly Drained: _____ % of site

f. Approximate proportion of proposed action site with slopes: ☐ 0-10%: _____ % of site
☐ 10-15%: _____ % of site
☐ 15% or greater: _____ % of site

g. Are there any unique geologic features on the project site? ☐ Yes ☐ No
If Yes, describe: _____

h. Surface water features.

i. Does any portion of the project site contain wetlands or other waterbodies (including streams, rivers, ponds or lakes)? ☐ Yes ☐ No

ii. Do any wetlands or other waterbodies adjoin the project site? ☐ Yes ☐ No

If Yes to either i or ii, continue. If No, skip to E.2.i.

iii. Are any of the wetlands or waterbodies within or adjoining the project site regulated by any federal, state or local agency? ☐ Yes ☐ No

iv. For each identified regulated wetland and waterbody on the project site, provide the following information:

- Streams: Name _____ Classification _____
- Lakes or Ponds: Name _____ Classification _____
- Wetlands: Name _____ Approximate Size _____
- Wetland No. (if regulated by DEC) _____

v. Are any of the above water bodies listed in the most recent compilation of NYS water quality-impaired waterbodies? ☐ Yes ☐ No

If yes, name of impaired water body/bodies and basis for listing as impaired: _____

i. Is the project site in a designated Floodway? ☐ Yes ☐ No

j. Is the project site in the 100-year Floodplain? ☐ Yes ☐ No

k. Is the project site in the 500-year Floodplain? ☐ Yes ☐ No

l. Is the project site located over, or immediately adjoining, a primary, principal or sole source aquifer? ☐ Yes ☐ No

If Yes:
i. Name of aquifer: _____

| | |
|--|----|
| <p>m. Identify the predominant wildlife species that occupy or use the project site: _____</p> <p>_____</p> <p>_____</p> | 90 |
| <p>n. Does the project site contain a designated significant natural community? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes:</p> <p style="margin-left: 20px;">i. Describe the habitat/community (composition, function, and basis for designation): _____</p> <p style="margin-left: 20px;">ii. Source(s) of description or evaluation: _____</p> <p style="margin-left: 20px;">iii. Extent of community/habitat:</p> <ul style="list-style-type: none"> • Currently: _____ acres • Following completion of project as proposed: _____ acres • Gain or loss (indicate + or -): _____ acres | |
| <p>o. Does project site contain any species of plant or animal that is listed by the federal government or NYS as endangered or threatened, or does it contain any areas identified as habitat for an endangered or threatened species? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes:</p> <p style="margin-left: 20px;">i. Species and listing (endangered or threatened): _____</p> <p>_____</p> <p>_____</p> | |
| <p>p. Does the project site contain any species of plant or animal that is listed by NYS as rare, or as a species of special concern? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes:</p> <p style="margin-left: 20px;">i. Species and listing: _____</p> <p>_____</p> | |
| <p>q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If yes, give a brief description of how the proposed action may affect that use: _____</p> <p>_____</p> | |
| <p>E.3. Designated Public Resources On or Near Project Site</p> | |
| <p>a. Is the project site, or any portion of it, located in a designated agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes, provide county plus district name/number: _____</p> | |
| <p>b. Are agricultural lands consisting of highly productive soils present? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p style="margin-left: 20px;">i. If Yes: acreage(s) on project site? _____</p> <p style="margin-left: 20px;">ii. Source(s) of soil rating(s): _____</p> | |
| <p>c. Does the project site contain all or part of, or is it substantially contiguous to, a registered National Natural Landmark? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes:</p> <p style="margin-left: 20px;">i. Nature of the natural landmark: <input type="checkbox"/> Biological Community <input type="checkbox"/> Geological Feature</p> <p style="margin-left: 20px;">ii. Provide brief description of landmark, including values behind designation and approximate size/extent: _____</p> <p>_____</p> <p>_____</p> | |
| <p>d. Is the project site located in or does it adjoin a state listed Critical Environmental Area? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes:</p> <p style="margin-left: 20px;">i. CEA name: _____</p> <p style="margin-left: 20px;">ii. Basis for designation: _____</p> <p style="margin-left: 20px;">iii. Designating agency and date: _____</p> | |

| | |
|--|--|
| e. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places? <input type="checkbox"/> Yes <input type="checkbox"/> No ⁹¹ | |
| If Yes: <ul style="list-style-type: none"> i. Nature of historic/archaeological resource: <input type="checkbox"/> Archaeological Site <input type="checkbox"/> Historic Building or District ii. Name: _____ iii. Brief description of attributes on which listing is based: _____ | |
| f. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory? <input type="checkbox"/> Yes <input type="checkbox"/> No | |
| g. Have additional archaeological or historic site(s) or resources been identified on the project site? <input type="checkbox"/> Yes <input type="checkbox"/> No | |
| If Yes: <ul style="list-style-type: none"> i. Describe possible resource(s): _____ ii. Basis for identification: _____ | |
| h. Is the project site within five miles of any officially designated and publicly accessible federal, state, or local scenic or aesthetic resource? <input type="checkbox"/> Yes <input type="checkbox"/> No | |
| If Yes: <ul style="list-style-type: none"> i. Identify resource: _____ ii. Nature of, or basis for, designation (e.g., established highway overlook, state or local park, state historic trail or scenic byway, etc.): _____ iii. Distance between project and resource: _____ miles. | |
| i. Is the project site located within a designated river corridor under the Wild, Scenic and Recreational Rivers Program 6 NYCRR 666? <input type="checkbox"/> Yes <input type="checkbox"/> No | |
| If Yes: <ul style="list-style-type: none"> i. Identify the name of the river and its designation: _____ ii. Is the activity consistent with development restrictions contained in 6NYCRR Part 666? <input type="checkbox"/> Yes <input type="checkbox"/> No | |

F. Additional Information

Attach any additional information which may be needed to clarify your project.

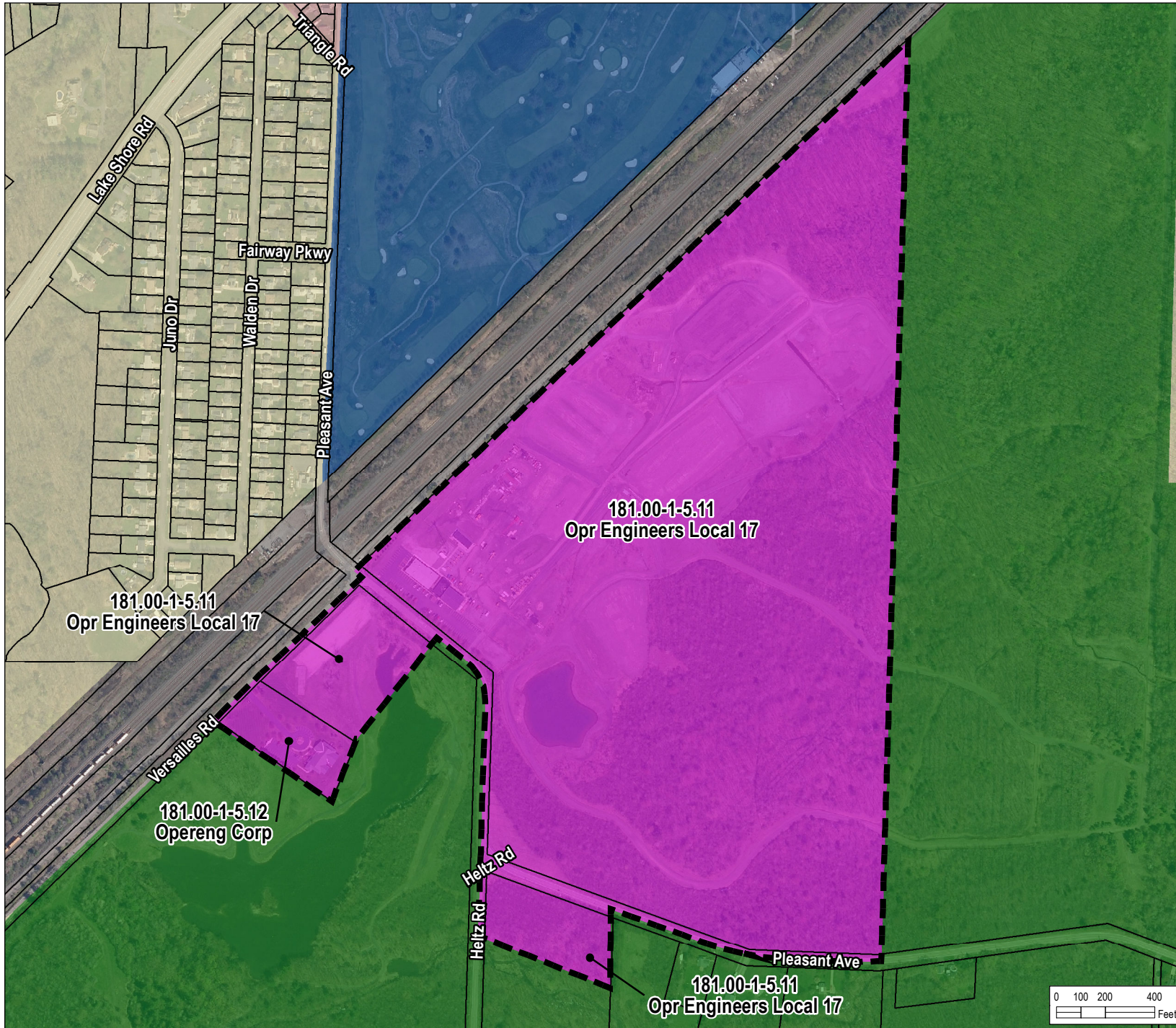
If you have identified any adverse impacts which could be associated with your proposal, please describe those impacts plus any measures which you propose to avoid or minimize them.

G. Verification

I certify that the information provided is true to the best of my knowledge.

Applicant/Sponsor Name Andrew Reilly, AICP Date 3/8/2023

Signature  Title Director of Planning & Environ. Services, Wendel



Town of Hamburg








Erie County, New York

Proposed Industrial Zoned Properties Changes

Versailles Rd and
Pleasant Ave Area



LEGEND

-  Parcels (2022)
-  Area in Question
- Town of Hamburg Zoning
as of 6/28/2022**
-  C1
-  M2
-  PUD
-  R1
-  RA